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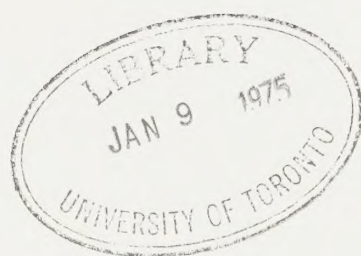
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Canada. Parliament. Legislative
Assembly.

Debates of the Legislative Assembly
of United Canada.

V. 5, Pt II

1845



DEBATES OF THE LEGISLATIVE
ASSEMBLY OF
UNITED CANADA

Volume V

Part II

1846

DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA

1841-1867

Published under the direction of the

Centre d'Etude du Québec

and the

Centre de recherche en histoire économique du Canada Français

General Editor

Elizabeth Gibbs

DEBATES OF THE LEGISLATIVE

ASSEMBLY OF

UNITED CANADA

Volume V, Part II

1846

Edited by

Elaine Naves

CENTRE DE RECHERCHE EN HISTOIRE ECONOMIQUE DU CANADA FRANCAIS

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*Centre de recherche en histoire économique du Canada français

FRIDAY, 1 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought
up and laid on the table:--

By Mr. Smith of Wentworth,--The Petition of Robert
Fleming Gourlay.

By Mr. M'Connell,--The Petition of John Bellows and others, members
of the Baptist Congregation at Barnston.

By the Honourable Mr. LaFontaine,--The Petition of the Reverend A.
O. Giroux and others, of Ste. Anne des Plaines.

A Petition of William Notman, Esquire, of Dundas in the District of
Gore, was presented to the House by the Honourable Mr. Baldwin, setting
forth: That the Honourable the Select Committee, appointed to try the
merits of the Controverted Election for the County of Middlesex, have
reported to your Honourable House, that the mode of proceeding on the
part of the Commissioners appointed to take evidence therein, in adjourn-
ing several months on different occasions without any reason assigned,
was illegal; and that the evidence taken under the Commission so ille-
gally executed, could not be received or read as evidence. That your
Petitioner by such decision, founded on the improper execution of the
said Commission, has been prevented from going into the merits of his
case,--convinced he had a majority of legal votes, entitling him to be
declared the Sitting Member, he proceeded upon the scrutiny, at great
pecuniary and personal sacrifice, but from the conduct of the Commission-
ers, the servants of your Honourable House, all he has expended is now
lost; relying on the justice of your Honourable House, he entertains
the hope he may be protected from so serious a loss, and humbly prays
your Honourable House will be pleased to direct that the moneys he has
laid out since the granting of the Commission may be reimbursed to your
Petitioner.

On motion of the Honourable Mr. Baldwin, seconded by the Honourable
Mr. LaFontaine,

Ordered, That the said Petition be now read, and that the Rule of this
House of the twenty-eighth of June, 1841, be suspended as to the
present Petition.

The said Petition was read accordingly.

Albion

Road Bill.

An Engrossed Bill to incorporate certain per-
sons under the name of "the Albion Road Company,"
was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Price do carry the said Bill to the Legislative
Council, and desire their concurrence.

Toronto and
Huron Rail-

An Engrossed Bill to amend an Act passed in the
eighth year of Her Majesty's Reign, intituled, "An

road Bill. Act to amend an Act passed in the sixth year of the Reign of His late Majesty, King William the Fourth, entitled, 'An Act to incorporate the City of Toronto and Lake Huron Railroad Company,' was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to amend an Act passed in the eighth year of Her Majesty's Reign, intituled, An Act to amend an Act passed in the sixth year of the Reign of His late Majesty King William the Fourth, entitled, An Act to incorporate the City of Toronto and Lake Huron Railroad Company."

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry the said Bill to the Legislative Council, and desire their concurrence.

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Universalists Relief Bill. An Engrossed Bill to afford to the Religious Society, denominating themselves "the Christian Universalist Association of Canada West," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Powell do carry the said Bill to the Legislative Council, and desire their concurrence.

Dumfries Road Bill. An Engrossed Bill to vest in James K. Andrews a certain allowance of Road in the Township of Dumfries, in the District of Gore, was read for the third time.

Resolved, That the Bill do pass, and the title be "An Act to vest in James K. Andrews a certain allowance for Road in the Township of Dumfries, in the District of Gore."

Ordered, That Mr. Webster do carry the said Bill to the Legislative Council, and desire their concurrence.

Cobourg Railroad Bill. An Engrossed Bill to revive and amend the Act of Upper Canada, incorporating "The Cobourg Railroad Company," and for other purposes therein mentioned, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Meyers do carry the said Bill to the Legislative Council, and desire their concurrence.

Niagara Suspension Bridge Bill. An Engrossed Bill for erecting an International Bridge over the Niagara River, at or near the Falls of Niagara, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act for erecting a Suspension Bridge over the Niagara River, at or near the Falls of Niagara."

Ordered, That Mr. Merritt do carry the said Bill to the Legislative

Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following

Petitions were read:

Of John S. Herrick, and others, of the Township of Farnham, in the County of Shefford; praying that all religious denominations may have their just share in the management of King's College; and that all grants be withheld from McGill College, until it be placed upon the same footing.

Of William B. Jarvis, Esquire, and others, of the City of Toronto; praying for an Act of Incorporation, to enable them to explore and search for mines of copper and other ores.

Resolved, That the Rule of this House, which limits the time for receiving Private Petitions, be suspended as regards the said Petition.

Of Hugh M'Cargar and others, of the Township of Mountain, in the County of Dundas; praying that the Imperial Act for the disposal of the Clergy Reserve Lands, may not be interfered with.

Of Dennis Riordean, of Port Hope, in the District of Newcastle; complaining that he has been unjustly dismissed from the office of Bailiff of the Court of Request and Division Court of the said District, and praying relief.

Of Alexis Mousseau, Esquire, and others, praying for an investigation into the late Militia appointments, for the County of Berthier.

Of the Right Reverend, the Lord Bishop of Montreal, and certain Clergymen and other inhabitants of the City of Quebec; praying that a clause may be introduced into all Railroad Bills, to prohibit travelling or the transportation of goods on Sundays.

Of the Reverend R. Whitwell and others, members of the United Church of England and Ireland in the Diocese of Quebec; praying that measures may be adopted for vesting in the Church Society of the Diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserve Lands as shall correspond with their share of the income arising from the same.

Of André Leroux Cardinal, Chief Messenger to the Legislative Assembly; praying for an increase of salary.

Of Mrs. Sophia Dalton, of the City of Toronto, widow of the late Thomas Dalton; praying for the payment of a certain sum due her late husband by the House of Assembly, of the late Province of Upper Canada.

Of the Mayor and Councillors of the Municipality of Rivière du Loup, in the County of Rimouski; praying that the said County be divided into two Counties.

Of the Reverend S. J. Hill, and others, Members of the United Church of England and Ireland, in the Township of Chinguacousy, in the Diocese of Toronto; praying that measures may be adopted for vesting in the Church Society of the Diocese of Toronto, for the benefit of the said Church, such a portion of the Clergy Reserve Lands, as shall correspond with their share of the income arising from the same.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Bouillon,

Ordered, That the Petition of the Montreal Gas Light Company, praying to be heard by Counsel at the Bar of this House against the Bill to incorporate the Montreal Gas Consumer's Company, be now read; and that the Rule of this House of the 28th June 1841, be suspended as to the said Petition.

The said Petition was read accordingly.

Petitions
Referred:--

Mrs. S. Dalton.

A. L. Cardinal.

Ordered, That the Petition of Mrs. Sophia Dalton, of the City of Toronto, widow of the late Thomas Dalton; and the Petition of André Leroux Cardinal, Chief Messenger to the Legislative Assembly; be referred to the Standing Committee on Contingencies.

Medical Board,
(U. C.)

Ordered, That the Petition of E. Henwood, Secretary, on behalf of the Medical Board of Canada West, be referred to the Select Committee, to which was referred the Bill to regulate the Study and Practice of Medicine, Surgery, and Midwifery in this Province.

Railroad Bills.

The Honourable Mr. Robinson, from the Select Committee on Railroad Bills, presented to the House the Fourth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have had under their consideration the Bill to incorporate "the Wolf Island, Kingston, and Toronto Railroad Company," and have made several amendments thereto, which they submit to your Honourable House.

Your Committee have also had under their consideration the Bill to incorporate "the Peterborough and Port Hope Railway Company," and have made several amendments thereto, which they also submit to your Honourable House.

Julien Demers,
Esq. et al.

Mr. Laurin, from the Select Committee to which was referred the Petition of Julien Demers, Esquire, and others, of the Parishes of Ste. Croix and St. Flavien, in the County of Lotbinière, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee, after having carefully examined the Petitions referred to them, and heard the evidence in support thereof, are humbly of opinion, that the Registry Office of the County of Lotbinière, now established at the Parish of St. Louis de Lotbinière, is not in the centre of the said County and of its great population, is at the Parish of Ste. Croix, so that by removing the Registry Office from the Parish of Lotbinière, and establishing it at

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Ste. Croix, the inhabitants of the eastern part of the County would derive a great advantage therefore, as this removal would save them almost three and a half leagues of travelling to enregister their

deeds, while the inhabitants of the western part of the County would suffer little from the change, as they are often in the habit of enregistering their deeds on their way to Quebec to attend to their business.

Your Committee having also taken into consideration the prayer of one of the Petitions, that the Circuit Court of the said County be removed from the Parish of Ste. Croix, and established at St. Louis de Lotbinière, have ascertained that no person has been found to act as Clerk of the said Court, which has not been organized since the law establishing it has been in force, to the great detriment of the interests of the inhabitants of the western part of the County, who, on account of their great distance from Quebec, might have derived great advantage from the operation of the said Court, while the inhabitants of the eastern parts of the County have suffered less, being within reach of the Courts of Justice at Quebec.

Wherefore your Committee take the liberty of recommending, that a Bill be introduced for the purpose of removing the Registry Office of the said County from the Parish of St. Louis de Lotbinière, to the Parish of Ste. Croix, and the Circuit Court from the latter Parish to the Parish of St. Louis de Lotbinière.

Lotbinière
Court and
Registry
Office Bill.

Ordered, That Mr. Laurin have leave to bring in a Bill to provide for the removal of the place of holding the Circuit Court in the County of Lotbinière, and of the Registry Office of the said County, from the place where it is now held to

Ste. Croix.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Wednesday next.

Private Bills.

Mr. Price, from the Standing Committee on Private Bills, presented to the House the Twelfth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Barton Con-
cession Bill.

Your Committee have examined the Bill to convey a part of the Concession Line between the third and fourth Concessions of the Township of Barton, in the Gore District, to Robert Jarvis Hamilton, and beg to report the same without any amendment.

Administra-
tion of Jus-
tice Bill,
(L.C.)

Ordered, That the Honourable Mr. Attorney General Smith have leave to bring in a Bill to amend the Law relative to the administration of Justice in Lower Canada.

He accordingly presented the said Bill to the House,¹

MR. AT. GEN. SMITH introduced a bill to amend the Judicature Act of Lower Canada. He said that he did not intend for the present to make any very material alteration in the bill; those that would be made were at the suggestion of members of the bar, and others; they were to

abolish a concurrent jurisdiction between the circuit and the superior courts; writs, were allowed to be served as late as the 3rd day before the commencement of the term, and the necessity of having the writs served in both languages was abolished, they might be served in either at the option of the parties and on account of the numerous petitions from the county of Missisquoi, by this bill the seat of the circuit court cannot be removed.²

MR. DRUMMOND, it was generally acknowledged that there was one defect in the present law, and that was that there were too many terms, this perhaps may not be an evil in itself; but it is so where the amount of business is so great as that transacted in the District of Montreal. He was not satisfied with the present system, for he did not think that any measure of the nature of the present one could be properly prepared by any one mind, for one person might discover a defect which another might not. The lawyers practising in one court might discover some defects, the judges, still more, and the suitors might also be competent to make useful suggestions. He therefore conceived that³ la chambre devrait nommer une commission de juges et d'avocats, pour examiner les changemens nécessaires et faire les suggestions qu'ils jugeraient convenables.⁴ He was determined to vote against any attempt to introduce a new system of judicature, until a report was received from competent commissioners. In the meantime he deemed it expedient to make some alterations, and especially to diminish the number, and increase the length of the terms of the Superior Court of Queen's Bench. He also conceived that our present and past systems should be compared with those which exist elsewhere, and particularly with that of Louisiana, where from analogy of position we are most likely to meet with valuable suggestions.⁵

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and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

On motion of the Honourable Mr. Papineau, seconded by the Honourable Mr. Viger,

The Land Act. Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the Act of the Provincial Legislature of this Province of the 4th and 5th Victoria, chap. 100, commonly called the "Land Act."

MR. COM. CR. LANDS PAPINEAU explained the leading feature of his Bill for amending the Act 4 and 5 of Vic. Cap. 100⁶.

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The House accordingly resolved itself into the said Committee.

Mr. Lacoste took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lacoste reported the the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by

the House, and is as followeth:--

Resolved, That it is expedient to amend the Act of the Legislature of this Province passed in the 4th and 5th years of Vict., chap. 100, intituled "An Act for the disposal of Public Lands."⁷

MR. CHABOT made an enquiry of Ministers, relative to the steps they intended to take for relieving the Sufferers by fire at Quebec.⁸

MR. AT. GEN. SMITH said, that the Ministry would be prepared to lay their bill for the relief of the sufferers of Quebec before the House⁹ shortly¹⁰.

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Public Lands
Bill.

Ordered, That the Honourable Mr. Papineau have leave to bring in a Bill to amend the Law relative to the disposal of Public Lands.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Boulton,
Montreal Gas Ordered, That the Montreal Gas Light Company be, in
Company. pursuance of their petition, heard by Counsel at the Bar of this House against the Bill introduced, to incorporate "the Montreal Consumer's Gas Company," upon the second reading of the said Bill.

Registry Laws
Bill, (U. C.)

Ordered, That two hundred copies of the Bill to consolidate and amend the Registry Laws of Upper Canada, as amended in Committee of the whole House, be printed for the use of the Members of this House.

On motion of Mr. Smith of Wentworth, seconded by Mr. Thompson,
Barton Con- Ordered, That the Bill to convey a part of the Con-
cession Bill. cession Line between the third and fourth Con-
cessions of the Township of Barton, in the Gore District, to Robert Jarvis Hamilton, be committed to a Committee of the whole House on Monday next.

Message from
His Excellency.

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

McGill College. CATHCART.

The Governor General in reply to the Address of the Legislative Assembly of the 14th instant, transmits for their information copies of Communications that have passed since the last Session of Parliament between the Executive Government, the Royal Institution for the advancement of Learning, and the Governors of McGill College.

As the affairs of McGill College have been brought under the consideration of the Imperial Government, and Her Majesty has not yet been pleased to exercise Her Royal Prerogative in reference thereto, the Governor General conceives that he cannot with propriety communicate to the House, pending the announcement of Her Majesty's decision, the Correspondence that has taken place on the subject between the late Governor General and the Secretary of State.

GOVERNMENT HOUSE,
30th April, 1846.

(For the Documents accompanying the said Message,
see Appendix Z.)

Member Ex-
cused for not
attending Elec-
tion Committee.

According to Order, Jacques Philippe Lantier, Esquire, Member for the County of Vaudreuil, who was absent yesterday from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, attended in his place in this House.

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Mr. Lantier rose in his place, and having given satisfactory reasons for not being present at the Meeting of the said Select Committee, and having verified the same upon oath,

On motion of Mr. Chauveau, seconded by the Honourable Mr. Baldwin,

Resolved, That Mr. Lantier having given satisfactory reasons for not being present yesterday at the meeting of the Select Committee for the trial of the Contested Election for the County of Oxford, and having verified the same upon oath, he be now excused for such non-attendance.

St. Lawrence
and Atlantic
Railroad Bill.

Mr. Desaulniers, from the Committee of the whole House, on the Bill to amend the Act incorporating "the St. Lawrence and Atlantic Railroad Company," reported, according to Order the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Mr. Colville, from the Committee of the whole House, on the Bill to make special provision for the Pilotage of vessels bound to the river Saguenay, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Notarial Pro-
fession Bill,
(L. C.)

Mr. Ermatinger, from the Committee of the whole House, on the Bill for the better regulation of the Notarial Profession in Lower Canada, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's

table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Customs Bill.

The Order of the Day for the second reading of the Bill to alter and amend the Laws imposing Provincial Duties of Customs, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Bankrupt
Laws Bill.

The Order of the Day for the second reading of the Bill to continue and amend the Bankrupt Laws now in force in this Province, being read;

The Honourable Mr. Attorney General Smith moved, seconded by the Honourable Mr. Cayley, that the said Bill be now read a second time.¹¹

MR. AT. GEN. SMITH, ... said he had no doubt that hon. members were aware of the importance to the province of the law he proposed to renew. It would also be admitted that the Government had no option with the matter; if there be no other means of relieving the unfortunate debtor the Law should interfere. Hon. members knew the wretched condition in which the debtor was placed up to the period of enacting the Bankrupt Law, no matter what were the accidents or misfortunes of trade if he could not satisfy all his creditors there was no relief for him.¹² Mr. Smith stated his belief that the House would concur with him in admitting that a bankrupt law was necessary¹³ wherever trade flourished and could not be dispensed with until some better scheme were devised. The Law that had been in existence in this province for some time was about to expire¹⁴ and must be renewed with certain amendments, and ... it was the duty of Government¹⁵ under all the circumstances,¹⁶ to bring in such a measure¹⁷. If it were a new measure the course would be different, but as it was he conceived they had no option. That there were many defects both in the Law itself and in the Administration of it he did not deny,¹⁸ ((and)) this evil must be remedied.¹⁹ But he thought that if hon. members were not absolutely opposed to a Bankrupt Law, the measure he then introduced was such as might be agreed to. He (the Attorney General) would state that the bill was intended for both sections of the province and that it was absolutely necessary.²⁰ He proposed it should go to Committee, where suggestions could be received.²¹ The necessity of a Bankrupt Law for the United Provinces, by means of which creditors in one section of the country were enabled to secure themselves under its provisions, and thus defraud their creditors in the other sections (sic).²² The system of allowing persons in trade to benefit by a Bankrupt Law could not be allowed to prevail in one section of the province and not in the other, and the inconvenience of such a system had been felt, before the Bankrupt Law had been introduced into the Lower Province.²³ Persons in Upper Canada having commercial connections with this city knew the effect of the system before the passing of the present Law, that system ought, under no circumstances, to exist and if the bill then before the House was not applicable to the entire province it ought to be thrown out.²⁴

MR. DEWITT²⁵ asked whether it was the intention to refer the bill to

a special committee; he thought that was necessary considering the many errors of the present Law. More evils occurred from the present Law than had arisen for 30 or 40 years before. He was not exactly opposed to a Bankrupt Law, but he thought it ought to afford some protection to the honest creditor of whom so little was said while there was constant clamour about the debtor. In reference to whether there should be a Law for each section of the province he (Mr. Dewitt) would say that he was decidedly opposed to such a principle.²⁶

MR. DUGGAN was in favour of the principle of the bill; some of the details however needed alteration²⁷. It had worked well in Upper Canada and²⁸ he hoped and trusted that the bill would pass.²⁹

MR. MCCONNELL was opposed to the bill altogether - it might be necessary in the cities, among merchants, but in his part of the country it offered an inducement³⁰ ((and)) a cover for fraud.³¹

MR. DRUMMOND thought that Bankrupt Laws were inimical to common morality³². The present law produced a large amount of fraud and perjury. He was not in favour of any Bankrupt system founded on the same principle as the existing law, or the one about to be introduced³³. He thought that an Act should be passed which would afford relief to honest, but unfortunate debtors, but at the same time honest and unfortunate creditors should not be lost sight of. He thought that some measure should be devised which would afford temporary relief to debtors³⁴. He would like much to see cessio bonorum, as it existed under the old French system, with another termed a grant of Letters of Respite³⁵. By ((this system)) ... a man might be afforded relief from his debts for³⁶ four, five or six³⁷ or 8 years, without molestation³⁸. but must pay them at the expiration of that time. He believed that the present law had caused more demoralization during the last ten years than any other thing in the world.³⁹ It was a well known fact that a bankrupt law was introduced⁴⁰, not many years ago,⁴¹ into the United States Senate, and passed, founded on the same principles as the bankrupt law here; and which had the effect of transferring hundreds of thousands of pounds⁴² from thousands of honest creditors, and was eventually repealed by Congress in answer to the universal wishes of the people.⁴³ To give an instance of the working of the law, he would mention the case of a young man of good family, who, on that account, easily obtained credit to the amount of about £2,500 in goods. He set up a store in a distant part of the province; his first and second payments he met, instantly, but when the third came due, he asked for indulgence for four years, and on that being refused, he went and got a friend to make him bankrupt, for a debt which he supposed was well secured, of £60.⁴⁴ In a fortnight his accounts were laid before the Court,⁴⁵ and they showed in assets plenty of debts, but no goods or money, the debts were all under £15, and the debtors unknown; in a short time they were brought to the hammer and sold for £15; in about 3 years⁴⁶ the young man was again in business on his old stand, after harvest the farmers all came in and paid their debts,⁴⁷ and the Bankrupt by skilful arrangement with the purchaser, made £3000 by the speculation.⁴⁸ Again every indulgence

is shown to the debtor, indeed so much so as that the case that he had known, a commissioner refused to grant a short delay to a creditor; and the reason given was that it would delay the granting of the certificate, and thus keep the bankrupt from again entering into business for a longer time. He had also known cases in which he had attended Sheriff's sales to buy a bankrupt estate for a creditor, and the person he found that opposed him was the bankrupt himself; who bought perhaps property to the value of £3000 for as many hundreds. He knew that the case of England would be cited;⁴⁹ and he agreed that it would be a good example if it were not for the difference⁵⁰ that the trade of England was sure and steady, on the contrary our staple trades in flour and lumber are lotteries; again in England no man commenced ((without)) a capital, in Canada the contrary was the case; in England, it was the exception for a man to begin business without capital; in Canada, it was the exception for a person having a capital to commence business.⁵¹ He would have the present system repealed entirely and would vote against the Bill unless Ministers pledged themselves to introduce a Bill containing details essentially different from this present one. He believed the Board of Trade was opposed to this law.⁵²

MR. AT. GEN. SMITH stated, that although he had had no written communications with the Board of Trade, he had heard personally from several of the members of it, that they were satisfied with the present Bill, provided some slight amendments were made in it.⁵³

MR. DRUMMOND concluded by stating that this Law held out inducements to men to start in business without capital; they then speculated, quite certain that if they succeeded, the gain would be alle (sic) theirs; while if they lost, the loss would be some body else's. He would not look on this as merely a Ministerial measure, but as one on which all parties might unite in making it as useful to the interests of the Country as possible.⁵⁴ He hoped that the bill would be referred to a select committee, in order that it might be entirely changed.⁵⁵

MR. CHABOT thought a great improvement would take place, if, instead of the expenses incurred under the present law, the whole of the creditors could be compelled to come in and accept an arrangement when it is agreed to by half or two-thirds of the creditors.⁵⁶

MR. R. MACDONALD of Cornwall was much pleased with the remarks he had heard from the hon. and learned member for Portneuf. He (Mr. McD.) was opposed to⁵⁷ the principle of the Bankrupt Law altogether⁵⁸ because of its tendency to discharge parties altogether from the obligation to pay just debts; he also thought that this country was too new for a Bankrupt Law; property had not yet attained to its proper height here, and could not, as in England, maintain its own against the circumstances of the day.⁵⁹ There was one great difference in the position of England and Canada; it consisted in this, - that in England everything would bring a fair market price,⁶⁰ whereas in this country, and especially in Upper Canada, goods did not on the day of Sheriff's sale bring within 20 or 30 per cent of what they were worth the very day before⁶¹, ((and)) every bankrupt's estate was sacrificed.⁶² He also disliked that

2 or 3 creditors should have the power of putting a party into the Bankrupt Court⁶³ who could perhaps pay if he were allowed a short indulgence.⁶⁴ That sometimes led to a debtor being harshly dealt with, and it also tended to fraudulent agreements being entered into; he had known cases of parties going into the Bankrupt Court by agreement with that number of creditors at a time where their assets were quite equal to their liabilities. He was disposed to agree with the hon. member for Portneuf that the facilities of obtaining credit in this country rendered a Bankrupt Law much liable to abuse.⁶⁵ Property brought to the hammer in consequence of failure in business was invariably sacrificed at one fourth of its value, without benefit either to the debtors or creditors. He had known debts to the amount of thousands, bought for a few hundreds by the debtor himself who started a flourishing business immediately afterwards.⁶⁶ In Upper Canada Merchants, as they were called, they were shopkeepers, got goods from the Montreal Merchants and when the time of payment came round and the Montreal Merchant visited his Upper Canada debtor one would really suppose that the relative position of the parties had changed, such was the air of defiance with which the Merchant was greeted. It was usual in such cases for the Merchant to hear the sang froid proposal "will you take 10s. in the pound - if not I will go into the Bankrupt Court;" and in many instances when the latter expedient was resorted to the supposed Bankrupt afterwards went on in a flourishing business. These facts he (Mr. McD.) referred to without, heaven knows, having much pity for the Montreal Merchants for it was well known they made fortunes, honestly and honorably no doubt, by their dealings with Upper Canada. (Laughter.)⁶⁷ Nothing would induce him to vote for this Bill, but his disinclination to have the law repeatedly changed, as such change induced great instability in Commercial relations⁶⁸ and was dangerous.... It had been said that the debtor should get every relief; he (Mr. McD.) thought that for the last ten years they had been legislating for the debtor; the extent to which debtors were relieved amounted to almost repudiation, and reduced the value of property some 75 per cent. Such legislation also injured young men of honest dispositions⁶⁹. The insecurity of the creditor under this law would prevent all young men from getting into business, because no one would trust them with goods.⁷⁰ They were, in consequence of the extent to which credit was abused, unable to obtain what their character would otherwise secure for them. If it were possible for human wisdom to devise a scheme which would protect the unfortunate debtor and at the same time protect the equally unfortunate ... creditor he (Mr. McD.) would rejoice (sic) in it, but he feared the present law did not afford that extent of security; indeed he thought the old law was better under which a debtor was imprisoned and a certain sum per week allowed him, and finally when he was discharged, it was not from the debt but from the present disadvantages of It (sic), any property which he might afterwards acquire was answerable. The present law had been in operation about two years and many persons had been, as it was called, white-washed under it and then started anew. Now he thought it would be better to allow debtors to go on say for 10 years and then relieve them (laughter) in the meantime property might undergo a profitable change so that

it would be a mutual advantage to have a wiping off of all claims. Under the law as it then stood more fraud and perjury was committed than from any other cause. There was also the law of last Session against a fraudulent preference being given which actually pointed out the way in which such a preference might be acquired; that law ought certainly to be amended. He (Mr. McD.) would repeat that he was rather against a continuance of the present law but was willing to be influenced by any sufficient reason that might be adduced in the course of the debate.⁷¹

MR. SHERWOOD of Brockville - agreed with the sentiments that have been expressed by the hon. member for Portneuf. The Bankrupt law is not popular in Upper Canada⁷². ((It was)) unnecessary,⁷³ especially since the insolvent debtors act was passed last Session, which allows as great relief to the debtor as the hon. member for Portneuf considered he ought to have.⁷⁴ It prevented fraudulent transactions and secured all the property for the benefit of the Creditors. This law was an injury to men of capital, for it induced persons to enter business without capital, carry it on by flying kites, and end by cheating every body.⁷⁵ ((It)) induces wild speculation and gambling, for if a person keeps his accounts correct he can easily be whitewashed. If individuals knew they could not get rid of their debts, they would be more careful how they entered into engagements. The merchants of Brockville are opposed to the Bankrupt law. He would therefore vote against its continuance, but⁷⁶ he would wish a Bill enacted in order to carry out all proceedings begun under this law, and that it should then cease.⁷⁷ All the business commenced under it should be completed.⁷⁸

MR. AT. GEN. DRAPER⁷⁹ said that the question before the House had⁸⁰ excited a great deal of discussion⁸¹ in other countries, where the principles of Commercial policy were very well understood, and he held it to be a settled principle, established by the most acute thinkers in those countries, that a bankrupt law was not only a benefit, but an absolute necessity, in a commercial community.⁸² The question of the necessity of such a law as this was sufficiently decided by the fact, that it was found that the greatest commercial country in the world⁸³, Britain⁸⁴, had had such a law since the reign of Queen Anne, and had never sought to repeal it, but rather to render it more perfect⁸⁵ from time to time as experience shewed the necessity of ... amendments. It is therefore, almost too late to enquire whether a bankrupt law was necessary to a commercial country or not.⁸⁶ He would, therefore, abstain from entering on the abstract argument as to the propriety of these laws, and only proceed to enquire whether the difference between the countries where the present system prevailed and this country, was such as to make a law which was good there, inapplicable here⁸⁷; whether this colony requires a bankrupt law, or whether there should be no other remedy given to the creditor than the ordinary remedies of the common law. With regard to this measure, which it is intended to continue with some amendments, it was not a ministerial measure.⁸⁸ He had himself introduced ... ((it)),⁸⁹ into the Legislative Council⁹⁰ with the presumed consent of the hon. gentlemen opposite when they were in

office⁹¹ in 1843.... He had prepared this bill in consequence of such a measure having been repeatedly called for in the Upper Canada Parliament, and from a conviction that the country required it. For himself he could have no interest in the matter, unless it tended to bring suits to lawyers offices.⁹² He would state one fact for the information of hon. members: from the official report of the Clerk of the Crown (U. C.)⁹³. These returns were called for by him, not for the purpose of proving any thing in connection with the bankrupt law, but in order that he might see whether the same system of building Court houses might not be introduced into Upper Canada as has been in force in Lower Canada, viz: by a tax upon law proceedings.⁹⁴ It appeared that since the passing of the present law an immense falling off had occurred in the amount of litigation, as compared to that in a similar period preceding the operation of the bankruptcy act.⁹⁵ He could not positively trace this diminution to the operation of the Bankrupt Law, but such was the fact. He would not pretend to connect the two facts, but hon. members might draw their own inferences.⁹⁶ He could at least say this, that this falling off had been predicted by several of his friends of the legal profession.⁹⁷ He had been told when he brought in the Bill, that he would ruin the lawyers,⁹⁸ the expenses in winding up a bankrupt estate being so much less under this law.⁹⁹ He might be told, however, that the expenses of the operation of the law, swallowed up the assets¹⁰⁰; he thought the expenses under the Bankrupt Law were very large.¹⁰¹

MR. DRUMMOND knew an instance in which the costs of winding up a Bankrupt estate amounted to £850.¹⁰²

MR. AT. GEN. DRAPER, without knowing the facts, he could not say whether it was proper or not,¹⁰³ if that were so, it was an instance of the most extravagant charge, but what he deduced from the fact was, that some means ought to be taken to prevent the abuse, not that the principle of the Bill ought to be rejected. However, he would come to the enquiry he had proposed to institute¹⁰⁴. Having assumed, from the experience of other countries, where the greatest minds have devoted their attention to commerce and political economy, that the principle of a Bankrupt law is correct¹⁰⁵ ((and)) inseparably connected with commercial affairs;¹⁰⁶ we may enquire, what is there in the state of Canada that should lead us to object to carry out this principle in this country¹⁰⁷, ((when it has been)) approved by the most commercial people in the world.... It appeared to him, in the first place, that there was a great inconsistency in the two arguments that had been used,¹⁰⁸ by different gentlemen, who opposed the continuance of this law.... On one hand, it was said that the existence of the Bankrupt system prevented credit being given to many honest and enterprising young men¹⁰⁹, ... ((and)) that the operation of the law had the effect of stopping credit, and limiting commercial enterprise¹¹⁰; while on the other hand, it was stated that it was the means of too much credit being given,¹¹¹ that debtors got credit with so much facility that this Bill enabled them to commit frauds,¹¹² wild speculation, ... and perjury. Is it an argument against a Bankrupt law that fraud and perjury are often committed by those who receive its benefits?¹¹³ For his own part, ...

((it)) appeared to him to show the immorality of the people, more than the badness of this law¹¹⁴. He was anxious to make people more cautious whom they trust.¹¹⁵ The argument ... that ... this law ... prevented credit¹¹⁶ appeared to him the best possible argument in favour of the law, for he took that to be the best system which would most restrain the rashness of speculation.¹¹⁷ It would prevent people with capital from risking it in an incautious manner¹¹⁸. He brought these two statements into collision, however, to show that the effect of the bankrupt law was not to prevent credit,¹¹⁹ but to put credit on a safe basis, to prevent credit from being given to those who¹²⁰ were not entitled to it or fit to be trusted with it.¹²¹ ((It was)) to increase the vigilance of creditors, and in order to see how it did so, he would assume that one of these young men spoken of by the hon. member for Portneuf obtained credit for a large sum of money, giving his bills for 3, 6, or 9 months. He went into the country, and failed in making his third payment. Had his creditors, in such a case, no power to prevent him from making away with his goods? Why the law enabled the creditor to stop his proceedings, and demand to see the state of his accounts, and if the debtor refused to give satisfaction, the creditor has the means to compel him to wind up his business.¹²² He acknowledged that you could not by law prevent fraud or perjury, but you can make your law so strict, so that they will be more difficult of commission, and when they are committed, more severely punished.¹²³ Nothing could prevent fraud and perjury. It would just be as consistent to say that it was a reason against credit. The present law was not any new invention, nor were the frauds that took place under it novel. They had existed, in fact, long before the bankruptcy laws had been introduced.¹²⁴ As far back as the reign of Elizabeth in England an act was passed ... and renewed in the time of Charles the Second¹²⁵, by special enactment, against¹²⁶ perjuries and¹²⁷ fraudulent conveyances from debtors to third parties; that law had been intended to prevent injustice, but the bankrupt laws doubled or trebled the means of effecting the object. Before the Bankruptcy Laws, it frequently happened in Upper Canada that the creditor, who often came from Lower Canada, instead of being able to wind up the estate of the debtor, found all the goods and chattels under execution, and had a most difficult business before him if he attempted to find out whether that execution arose from a bona fide proceeding¹²⁸, ((or)) for the purpose of keeping ... ((him)) out of his just debt.¹²⁹ Before the commencement of the bankrupt system in Upper Canada he had known assignment made for the express purpose of compelling distant creditors to accept compromises, and then, while on the fact of the proceeding, it appeared that all the creditors shared alike, there was, in fact, no means to ascertain whether the debtors mentioned in the deed had any claim whatever upon the estate.¹³⁰ A seisure was made for a sham debt to prevent the property from being taken in execution for a real debt.¹³¹ There were hundred (sic) of instances in which these assumed debtors were the brothers, sisters, or some other relations of the debtor¹³² ((who)) possessed no valid claims.¹³³ Creditors were obliged to come in and share with the persons to whom the

assignments were made, probably not getting more than 2s. 6d. in the pound. - This was before the Bankrupt Law was passed, and he cited this to prove that under the old system evils prevailed worse than any complained of under the present Bankrupt Law.¹³⁴ With regard to the principle of the bankrupt law of 1843,¹³⁵ he adopted no novel system¹³⁶. He would remark that it was one for which no one could claim any mere (sic) merit, then, in so far as merit was due for its adoption, for it had long prevailed in England;¹³⁷ he only endeavoured to adapt the English bankrupt system to the circumstances of this country¹³⁸, but he had no hesitation in saying that that adoption had effected a great change for the better in Upper Canada.¹³⁹ The boldest departure was this. In England previous to 1842 a man could make himself a bankrupt. Our bankrupt law requires that an individual must be made bankrupt by his creditors, and this principle has been since adopted in England. It has been said that our legislation for the last ten or twenty years had been all in favour of the debtor. He admitted our legislation during that period has been vacillating¹⁴⁰. Under the old system, people had gone into jail and there remained, quietly receiving the allowance, which was nominally made for the relief of starving debtors, but which, in fact, led to enormous abuses¹⁴¹, to the most abominable frauds, perjuries, and collusions.¹⁴² It was made the occasion of innumerable tricks - sometimes to prevent the tender being made within the time required by law, and thus to obtain enlargement and relief from obligations, because the law was not complied with. At others to receive the allowance from several creditors at the same time, so as to make the allowance a means of livelihood.¹⁴³ He had known individuals personate others and receive the weekly allowance, and then the real debtor would come forward and swear that he had not received the allowance¹⁴⁴. He had known one case, at least, in which the debtor pretended to be afflicted by an infectious disease. Other debtors¹⁴⁵ had lived in jail for a long time¹⁴⁶ though possessed of considerable property,¹⁴⁷ held in trust for them¹⁴⁸ ((but)) would not pay their creditors, because they speculated upon the chance that the 5s. per week would not be offered in time, and hoped to escape paying altogether. The encouragement to fraud and perjury was so great that it was found necessary to give some little protection to the creditor. What was done to effect that object? Authority was given to the creditor to compel the debtor to come up and answer all questions¹⁴⁹ on oath as to ... ((his)) property¹⁵⁰ ((and)) affairs, that might be asked of him and failing to give satisfactory replies, he was deprived of his allowance (sic), and kept in jail. Public opinion then began to take another turn. Every body exclaimed against the hardship inflicted upon the unfortunate debtor: all the sympathy was extended to the man who was subjected to incarceration, and, to a great extent, he agreed with that expression of public feeling, for he conceived that hanging excepted, imprisonment was the very worst use to which a man could be put. What steps, however, were taken to remedy this evil? Why the system of limits was introduced, and imprisonment was virtually abolished, because debtors were allowed their liberty - within certain bounds it was true - but within bounds sufficiently wide to enable them

to carry on business under the very noses of their creditors, only with the simple precaution of having some other person's name over the door, as the ostensible proprietor¹⁵¹, and acting as his clerk.... These abuses are to some extent obviated by a bankrupt law, for under it, when a debtor is making away with his property he can be immediately put into the bankrupt Court, and all his property (sic) either in presenti or futuro, is taken from him and vested in assignees. He considered that these laws were passed for the advantage of the creditor and not the debtor¹⁵², as it put all the property into their hands to administer it themselves.¹⁵³ He asked then, whether these abuses could take place under the bankrupt law?¹⁵⁴

Why not? from MR. LAFONTAINE.¹⁵⁵

MR. AT. GEN. DRAPER ((continued:)) Why, because under that law the bankrupt could be brought up and compelled to make over all his property for the benefit of his creditors.¹⁵⁶

A voice - except what he keeps for himself.¹⁵⁷

MR. AT. GEN. DRAPER ((resumed:)) Well, with regard to any thing he might keep in his pocket, the same remark applied pretty equally to both laws, but if the observation was meant to refer to property which was kept back by perjury, he would only say, that no law could prevent a dishonest man from committing that crime; but whereas under the existing system a man could sometimes keep back £500 from his creditors; under the old one, he was able not only to do that, but to extort from them an allowance of 5s. per week.¹⁵⁸ It is no argument against the law that there is fraud committed by bankrupts, unless it can be shewn that the system itself creates the fraud - it is true, it is a strong argument for amending the law, so as to endeavour to prevent fraud.¹⁵⁹ ((But)) it is certainly better than a system which affords many loopholes for withholding property.¹⁶⁰ Under the new system, the debtor could be compelled to give up any property he possessed; under the old, a creditor might be aware that his debtor possessed valuable securities, and might yet be unable to find any means to get possession of them. The debtor might be in the gaol limits, but the creditor failed to get his property. The only remedy was to put interrogatories, and if they were not satisfactorily answered, the creditor had the pleasure of knowing that the debtor was living in a cell, but he was as far from being paid as ever. Under the existing law, too, the great abuses practised under the system of allowances, was done away with. No man could get released from his liabilities because he did not receive a tender of 5s. a week within a certain time - no one could escape unless he gave up the whole of his real and personal property. He laid it down as an incontestible principle that the system of credit could be a sound one, that was based upon the hope of compelling payment, by seizing the person of the¹⁶¹ unfortunate debtor;¹⁶² he would not now trace its history, but he believed it to be totally repugnant to all modern commercial principles to base credit on the power of incarcerating the person of the debtor.¹⁶³ He approved as little of a system which produced scram-

bles among creditors, to see who would be first in the field, to issue process, and thus by securing everything, leave nothing for the rest. What he did consider a sound system was that, under which a man who trusted his property in the hands of others, did so upon the security of the personal integrity of the debtor; and that under which, when misfortunes did befall (sic) the debtor, every creditor enjoyed an equal opportunity of obtaining his share of the property.¹⁶⁴ Before the bankrupt system was established, the creditor who seized first had an advantage over the others; the principle was, first come, first served; but the principle of the bankrupt law is that all the creditors¹⁶⁵ have equal rights¹⁶⁶ ((and)) should receive equally their share¹⁶⁷ ((of)) all property¹⁶⁸, be it little or be it much.¹⁶⁹ ((That)) is fair, ... - that is the true commercial principle - and that is the principle on which the law of 1843 is founded.¹⁷⁰ It was for these reasons that he supported the principle of the present law.¹⁷¹ He mentioned several instances to illustrate the inefficiency of the remedy by attachment. One of them was the celebrated case of Williams vs. King, in which three-fourths of the assets were spent in costs; and another case, where a debtor ran away from the Niagara District who had good assets (sic) to the amount of 36s in the £, but whose estate, in consequence of costs, did not pay more than 10s.¹⁷² It was alleged that fraud and perjury were committed under the present law, but would they not equally be committed under the old system. Parties only trust their property when they imagine they will be safe;¹⁷³ under a sound state of credit, a merchant will only give credit where he has a reasonable hope of getting back his money.¹⁷⁴ To trust persons without capital is a mistake, and he would never be found to encourage any law which should induce such transactions.¹⁷⁵ He had often heard it ... said as an argument ad captandum, by lawyers when addressing a jury, why an individual should not pay his just debts, "that Upper Canada had been ruined to build up the Montreal merchants." And he had been grieved at the state of moral feeling, that persons using such an argument must suppose to exist.¹⁷⁶ People went into rash speculations and were then mean enough to resort to dishonourable means to avoid satisfying their creditors.¹⁷⁷ He (Mr. D) did not mean to say that the present Bankrupt law is a perfect law, but¹⁷⁸ it was not fair to throw all the blame upon the law;¹⁷⁹ he was free to confess that some of the blame that was thrown upon it, ought to be laid to the charge of those who administer it, for he considered that many persons have received certificates who would not have received them in England¹⁸⁰ ((where)) if a suspicion of fraud rests upon a debtor, he may ask in vain for his certificate.¹⁸¹ The judges must exercise a sound discretion in granting a certificate, and then this certificate requires to be confirmed by the (sic) Court of Review, and the creditors can oppose the granting or confirming it.¹⁸² In cases of gross and palpable fraud the Judge should ... refuse the certificate.¹⁸³ It is not a sound (sic) argument, that because abuses have arisen under a law, you ought to repeal the law, and return to the old system, under which as great if not greater abuses exist. You ought rather to make those amendments that experience have shown to be necessary; and to make the law more stringent (sic), so that it may not be easily evaded. He

wished to have such a law, by which every honest creditor should have right to get share of what was in possession of the debtor; and every honest debtor when he gave up every thing he possessed, should have a right to his discharge from all his obligations.¹⁸⁴

MR. MOFFATT¹⁸⁵ would make one or two remarks. First he would say, that since the introduction of the Bankrupt Law, a state of things had grown up which was the real cause of many of the errors imputed to the law, and which tended more perhaps than any thing else to (sic) throw the law into discredit.¹⁸⁶ It was a great misfortune of the existing law, that the benefits it conferred were shared by parties who had vexatiously contested the claims of their creditors. Another evil and perhaps a more important one, was¹⁸⁷ that much of the alleged fraud and mismanagement under the law arose from want of attention¹⁸⁸ to their own interests by creditors.¹⁸⁹ He could not agree with the hon. member for Quebec (Mr. Chabot) that one half of the creditors ought to have it in their power to relieve the debtor; one of the faults of the present system was that it afforded the debtor too much facility.¹⁹⁰ He thought, too, that great injury would be done to the really honest debtor, who might be unfortunate, if the plan of the hon. member for Portneuf¹⁹¹, that the debtor ought to obtain rather a respite than a discharge¹⁹², were adopted, because, instead of being cleared from all responsibility and left to make a fresh start, and to endeavor to regain his position by honourable and honest exertion, as under the existing law, his energies would be subdued by the heavy weight of responsibility from which there would be little hope of recovery.¹⁹³ Under a respite an honest man would be held back - his friends, afraid of old claims, would not be willing to aid him to start again. He (Mr. Moffatt) thought there were no other means than to take from the honest debtor all he had, trusting to his honor and honesty to pay the rest when he was able. He thought something might be borrowed from the system in England.¹⁹⁴ He conceived that an amendment was required in that part of the existing law, which related to the granting of certificates. Here, little power was given to the creditor to grant or refuse the certificate, but if he was rightly informed, the recent alterations in the English law, put the whole of that power into the ... hands¹⁹⁵ ((of)) a certain portion of the creditors¹⁹⁶. He also desired to see the administration of the law taken out of the hands of the District Judges, and given to Commissioners; he conceived the change in that part of the system¹⁹⁷, by which the Circuit Judges presided in succession in the bankrupt court,¹⁹⁸ which had been introduced by the bill of the hon. member for Terrebonne, was an alteration which had produced the worst results. He should vote for the second reading of the bill, but desired to have its details amended by a Select Committee.¹⁹⁹ It had been asked what was the opinion of the Board of Trade upon the present law, he (Mr. Moffatt) could not state what was the opinion since the late election; before that election a change was desired.²⁰⁰

MR. BALDWIN felt the grave importance of the subject before the House. If the question was whether a Bankrupt Law was injurious in

its general effects or otherwise he was not sure that he would not vote for the former view; but it appeared to him that as the question stood there was no option. The Administration of 1842, were seriously circumstanced; they found a Bankrupt Law existing in one section of the province and felt it necessary to continue it and make it applicable to the province at large. He (Mr. B.) did not agree with the hon. member for Port Neuf that this was not a ministerial measure; the ministry were undoubtedly bound to take it up; but it was one thing to say that it was a ministerial measure; and another that it ought to be a matter of party contest; he did not regard it as a question for party contest. He (Mr. B.) thought that the bill ought to stand or fall upon its fitness for the united province; it was not perhaps possible to make it answer all purposes at once; it was by gradual operation it would attain that height of utility.²⁰¹ He thought the laws of the two Provinces should be assimilated, as far as they related to Commercial transactions, and he was not prepared to oppose this bill, but thought that such alterations should be made as might appear necessary.²⁰² With regard to the general question whether the measure would facilitate or lessen the obtaining of credit he thought that anything that would effect the latter purpose was the more desirable, and if it were correct as had been argued by some hon. members, that a Bankrupt Law had that tendency he (Mr. B.) thought that so far from its being an argument against the Law it was much in its favour. He was desirous of placing the obtaining of credit upon the moral character of the applicant alone. Had he known that the question of sweeping away the Bankrupt Law would arise he would have prepared himself to go more fully into the subject, but with the lights he then had he thought the safer way was to amend the machinery and give it another period of trial.²⁰³ He should vote for the second reading.²⁰⁴

MR. MERRITT would have opposed the Bill, had he not believed he should have an opportunity of amending it in Committee.²⁰⁵

MR. ERMATINGER could not agree with the principle of the Bill.²⁰⁶

MR. PRES. EX. COUN. VIGER followed in French.²⁰⁷

MR. LAFONTAINE also spoke in the same language.²⁰⁸ ((He)) warmly opposed ((the Bill,)) not on details but on its principle.²⁰⁹

MR. AT. GEN. SMITH, would not go into this question at any length. It has been admitted that a bankrupt system is necessary in a Commercial Country. Those who would deny this necessity, would deny to a debtor the only chance of ever escaping from his debts. The spirit of a large Commercial system is to afford this relief, for wherever you have an extended system of credit, and consequent extensive system of speculation, you will have misfortunes and you must provide some means of relief. Under the old system in Lower Canada, the property of a debtor could not be divided among his creditors, without most expensive legal proceedings; without a measure of this kind extending its provisions over the whole Province, debts due in one section of the Province could not be recovered in another. In Lower Canada, there could be no doubt but that law-suits had materially diminished by the introduction of the

Bankrupt law. In the melting pot of the old law, properties were sweated down until nothing of them remained for the creditors. He would wish to refer the Bill to a special Committee. Before he closed however, he would mention that under the present Bankrupt Act, there is no right of appeal; this was also the case in England. He moved the second reading of the Bill.²¹⁰

MR. MONRO made a few observations in support of the Bill, but thought a few amendments necessary. He also thought most of the evils under this Act were caused by its being badly worded.²¹¹

(188)

Mr. Drummond moved in amendment, seconded by Mr. Chauveau, that the word "now" in the said motion be struck out, and the words "this day six months," be added thereto.

MR. DRUMMOND said, however, that he only took that course because he saw that the Administration adhered so closely to the principle of the bill as to make it impossible to make so complete a change in its passage through the committee as he desired. If the Administration could have consented to allow that alteration, he would have supported the second reading; but as they could not, the only course left him was to move the amendment, and if it were carried, he should be prepared to introduce a bill founded on the principles he had laid down during the earlier part of the debate.²¹²

(188)

The Question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, Cauchon, Chauveau, Colville, Desaulniers, DeWitt, Drummond, Jobin, Lacoste, LaFontaine, Laterrière, M'Connell, Méthot, Nelson, Powell, Price, Sherwood of BROCKVILLE, and Thompson.--(18.)

NAYS.

Baldwin, Bertrand, Boulton, Cayley, Chabot, Christie, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Guillet, Hale, Hall, Jessup, Lantier, Leslie, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of STORMONT, Moffatt, Monro, Murney, Papineau, Petrie, Riddell, Robinson, Roblin, Solicitor General Sherwood, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, Webster, and Williams.--(40.)

So it passed in the negative.

The Question being then put on the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Bertrand, Boulton, Cayley, Chabot, Christie, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Guillet, Hale, Hall, Jessup, Lantier, Leslie, Macdonald of COKNWALL, Macdonald of KINGSTON, Macdonell of STORMONT, Moffatt, Monro, Murney, Papineau, Petrie, Riddell, Robinson, Roblin, Solicitor General Sherwood, Attorney General Smith, Smith of WENTWORTH, Stewart of PRES-COTT, Solicitor General Taschereau, Viger, Webster, and Williams.--(40.)

NAYS.

Berthelot, Cauchon, Chauveau, Colville, Desaulniers, DeWitt, Drummond, Jobin, Lacoste, LaFontaine, Laterrière, M'Connell, Méthot, Nelson, Powell, Price, Sherwood of BROCKVILLE, and Thompson.--(18.)

So it was carried in the affirmative, and

The said Bill was accordingly read and referred to a Select Committee, composed of the Honourable Mr. Attorney General Smith, the Honourable Mr. Moffatt, Mr. Drummond, Mr. Leslie, Mr. DeWitt, Mr. Macdonald of Kingston, and Mr. Duggan, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Distillers
Duty Bill.

The Order of the Day for the House in Committee on the Bill to repeal certain Acts therein mentioned, and to impose a Duty on Distillers and on the Spirituous Liquors made by them, and to provide for the collection of such Duties, being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonald of Kingston, took the Chair of the Committee, and after some time spent therein,²¹³

MR. INSP. GEN. CAYLEY - The government had first proposed to impose a duty of three pence per gallon on the produce of the stills, but on account of representations that had been made to them, they proposed to make a compromise with the distillers, and reduce the duty to two pence per gallon. He hoped that this would be satisfactory.²¹⁴

MR. THOMPSON ... was of opinion that the duty was still too high and would have the effect of entirely shutting up the distilleries.²¹⁵ ((He)) knew that no distiller in Upper Canada is able to pay this duty, and they will all, if this duty is imposed, be obliged to give up business.²¹⁶

MR. ERMATINGER - thought that the bill would be ineffectual to carry out the purpose desired, for smuggling would be greatly promoted by it.²¹⁷

MR. BOULTON was in favour of the measure, considering that the expense of the administration of Justice was to be borne by the general revenue.²¹⁸ ((He)) was certain that it would give very general satisfaction. He had in his hand a petition from several of his constituents, which reached at too late an hour for him to present to the House; but he would now take the liberty of reading it. It ... ((was)) a petition

from the distillers of Toronto, setting forth that 3d. a gallon was quite too high a duty; and that, in case of its becoming law, the illicit importation from the United States would destroy the manufacture of whiskey in this Province. This petition, said Mr. B., was framed on the supposition that 3d. a gallon would be the duty; but that sum had now been reduced upwards of 33 per cent. He thought it right that the petition should be laid before the House, though he could not say he agreed with it entirely.²¹⁹

MR. MERRITT considered 2d. a gallon much too high, and was certain it would shut up a great many distilleries. It should be reduced one-half.²²⁰

MR. ROBINSON - said the question was an important one, and hon. members ought not to be too impatient in coming to a decision. The present system of taxing distilleries, was certainly unjust, inasmuch as it did not bear equally on large and small establishments.²²¹ ((He)) was in favour of the tax, and argued that then so much liquor could be made in Montreal, where grain was high, that there was little danger of the distiller in Upper Canada. The great objection was that the duties would not be equalized. A large still would pay just as much per gallon as a small one, and the price of the article would be raised too high.²²² - A certain duty per gallon on all whiskey made, would be the fairest - but it was difficult to levy it without a more efficient system than that now in force, by one inspector for a district. The imposition of so heavy a tax as 2d. a gallon, would have the effect of shutting up many small distilleries in the remote parts of the Upper Province, and if the Government could by legislation make people sober and give up the use of spirits, he (Mr. Robinson) would vote for any measure that would effect it; but so long as the article was in general use, it would be obtained by some means, and he thought it might as well be supplied by smaller distilleries in various parts of the country, as to import it from other places. He knew one distiller who now paid £60 a year for a license, who, under the proposed measure, would pay £130 at least - more money than he receives in a year perhaps, as much of the country business is done in the way of barter, and these distilleries afford a market for the coarse grain of the country. He thought 2d too much; one penny would certainly be enough, and even that would amount to a very high duty.²²³

MR. WILLIAMS did not care if the loss fell on the consumer, but he feared it would not. Great quantities of whiskey would be brought from the States²²⁴, instead of being manufactured in this country²²⁵, so that neither would our farmers be able to dispose of their grain, nor would the revenue be increased.²²⁶

MR. THOMPSON did not object to the application of the fund, on the contrary he thought it an excellent one; but the distillers wanted protection.²²⁷ ((He)) was in favour of laying the duty on the gallon, instead of, on the capacity of the still. He considered that one penny per gallon would realise more than two pence. The distiller cannot raise the price of his whiskey, for the whole frontier is open to smug-

gling;²²⁸ in his own District more than one-half the whiskey consumed was smuggled, and it would be worse if this bill was passed.²²⁹ It is impossible to protect the fair dealer from illicit trade. He approved of the object of the tax, if it could be carried into effect.²³⁰

MR. INSP. GEN. CAYLEY ... A duty of one penny per gallon, as suggested by an hon. member would not do. The Government wished to raise a revenue of £80,000,²³¹ to meet the expenses of the administration of Justice, and one penny per gallon would not do. He could not consent to any further reduction, as he had already come down one-third, and to reduce the duty lower--would be to destroy the bill altogether.²³² It is natural that the Distillers should oppose this duty, as all persons are interested where their pockets are touched; but it is unreasonable in them, after having received protection from foreign corn, that they should object now to pay a small duty. However, all the distillers are not agreed in their opposition to this measure, for he had received a letter from a²³³ large²³⁴ distiller in Upper Canada, approving of this duty.²³⁵ ((Mr. Cayley)) read ... ((the)) letter²³⁶. In it he stated "that as nine tenths of the crimes committed arise from the use of intoxicating liquors, it is proper that a tax should be laid upon them to bear the expense of the Administration of Justice (Hear, hear.)"²³⁷

MR. ROBLIN²³⁸ - said he was happy to have it in his power to say that on this question he could give his hearty support to the measure introduced by the hon. Inspector General²³⁹. He regretted that the hon. member for Durham should fancy the price of grain would be reduced by the duty on Stills.²⁴⁰ The question was of a different character from imposing a duty on imports as it did not have the same tendency to induce smuggling if the article is manufactured in the country, which is the case in regard to whiskey, the only effect will be to enhance the price of the article and thus oblige the consumer to pay more for it, or in other words to get less quantity for the same amount of money or any other commodity which he may be induced to exchange for the whiskey, and further, the article is bulky and not easily smuggled, but the argument used against this measure was, that it would have the effect of lessening the price of coarse grain, this he (Mr. R.) considered as quite fallacious upon the true principles of political economy. In order to increase the value of your disposable products, you must exchange them for other commodities which would be of more real value to the person making the exchange or to the community generally. What, he would ask, would be the result of this operation, you convert a bushel of corn, which would sustain a family of five persons at least three days, into what? into that which would enrich the country? into that which sustains and supports animal life? into that which makes society more happy and prosperous? He (Mr. R.) would answer no, better far for the country that the grain thus diverted from its legitimate and natural purposes were thrown into the St. Lawrence. The grain thus sold to the distillers is not exported, and thereby increasing the wealth of the country by the commodity which it brings in exchange much, if it is consumed by the family of the producer. How often is it, that the man taking his load of rye or corn to the distillery is induced by the very

fact of getting a little higher price to take part of the price in what he (Mr. R.) would call poison, thus returning to his family with a deadly serpent, if not in his bosom in his sleigh or waggon; yes, the destroyer of the peace of families and society, and that which spreads misery, wretchedness and distress all around, and are we to be told that this is beneficial to the country. But there was a still further view of the question to be taken, are we to be told that we must encourage distilleries at a time like this when thousands, yea, he might say millions of our fellow creatures are perishing for lack of bread. Far better and more magnanimous would it be to stop distilleries altogether than to be giving them encouragement. What is the state of the European countries at the present time? has not the potato (sic) crop been an almost failure last year, and there are strong fears and apprehensions that the present year it might be a total failure; upon what are the poor to depend for their sustenance? they ... are not able to purchase the finer and higher priced bread stuff, they must depend on Indian corn and the other cheap grain for their support. Were not philanthropists at this very time engaged in endeavouring to ascertain in what way the awful calamity which threatens the European countries (namely famine) can be averted? Is not the great apostle of Temperance (Father Matthew) now engaged in the laudable enterprise of teaching the poorer class of the inhabitants of Ireland how to convert Indian corn and buck-wheat into food for their sustenance? And shall we look idly on? Nay be something more than idle spectators endeavouring to encourage distilleries for the purpose of consuming the only kind of food which can be brought within the reach of those people. Let hon. gentlemen look well to this before they give a vote against this measure, let them reflect that there is a heavy, yea, he would say an awful responsibility resting on them and though they might, by encouraging distilleries, enhance the price of grain a trifle, yet there are considerations of infinitely greater importance to be considered in a matter of this kind, and it did appear as though Divine Providence had opened a way and whereby a surplus produce of the country might be used for the benefit of mankind, and thus prevent its being a curse instead of a blessing.²⁴¹ ((He)) hoped that not a gallon of whiskey would be made during the present year.²⁴²

MR. THOMPSON made a few remarks on the sanctity and cant of the member for Prince Edward,²⁴³ the coarse grains would not pay the expense of conveyance to Montreal or Québec for exportation; all the sanctimonious gentleman's lecture about poison is all moonshine - (laughter) and is an insult to the intelligent farmers of Upper Canada.²⁴⁴

The resolution was carried without opposition.²⁴⁵

The remaining clauses were read²⁴⁶ ((and)) were carried without opposition.²⁴⁷

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Mr. Speaker resumed the Chair;

And Mr. Macdonald, of Kingston, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive

the same.

Ordered, That the Report be received on Monday next.

Attainder Bill.

The Order of the Day for the second reading of the Bill to restore the rights of certain persons attainted for High Treason, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House on Tuesday next.

"Odd Fellows"
Estate Bill.

The Order of the Day for the second reading of the Bill to enable the several Lodges of the Society of "Odd Fellows" to hold Real and Personal Estate

in this Province, being read;

Ordered, That the said Bill be read a second time on Friday next.

The Order of the Day for the second reading of the Bill to repeal the Acts therein mentioned, and to amend the Law for the establishment of Local and Municipal Authorities in Lower Canada, being read;

Ordered, That the said Bill be read a second time on Tuesday next.

Common
School Bill,
(L. C.)

The Order of the Day for the second reading of the Bill to repeal certain enactments therein mentioned, and to make better provision for Elementary Instruction in Lower Canada, being read;

(189)

Ordered, That the said Bill be read a second time on Tuesday next.

Cornwall
Incorporation
Bill.

The Order of the Day for the second reading of the Bill to amend the Act of incorporation of the Town of Cornwall, and to establish a Town Council therein in lieu of a Police, being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Macdonald of Cornwall, Mr. Macdonald of Kingston, Mr. Meyers, Mr. Stewart of Bytown, and Mr. Hall, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Cobourg
Incorporation
Bill.

The Order of the Day for the second reading of the Bill to alter and amend the Act of incorporation of the Town of Cobourg, being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Boulton, Mr. Hall, Mr. Meyers, Mr. Macdonald of Kingston, and Mr. Smith of Frontenac, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Kingston
Incorporation
Bill.

The Order of the Day for the House in Committee on the Bill to incorporate the Town of Kingston as a City, being read;

The House accordingly resolved itself into the

said Committee.

*Mr. Chabot took the Chair of the Committee,*²⁴⁸

MR. J. A. MACDONALD stated that his constituents were anxious to have this measure passed as soon as possible; he should, therefore, move the adoption of the preamble.²⁴⁹

This was carried unanimously²⁵⁰.

The Bill was read clause by clause²⁵¹.

The third clause ... which provides for the incorporation of Lot No. 24 ((was read)).²⁵²

MR. SMITH, of Frontenac, moved that that portion of the clause which referred to the annexation of Lot 24 be expunged. He stated that he held in his hand a petition signed by 875²⁵³ inhabitants, which ought to have some influence on the decision of the House. These persons protested against being annexed without their own consent,²⁵⁴ shewing that they could derive no benefits therefrom, and would be subjected to heavy taxes in order to assist in paying a debt of £36,000 which they had no voice in contracting.²⁵⁵ He considered that no legislation should take place without the wish of the people, and hoped that in this instance the House would not interfere with the rights of individuals²⁵⁶ ((and)) legislate contrary to the declared wishes of the people. (Hear, hear.) His hon. friend had great confidence in the House, because last Session they had passed a bill to this effect, but on a late occasion a question of a similar nature respecting the Town of Niagara had come before them with which the House refused to interfere, and he hoped they would now take the same course and not interfere with the elective franchise of the Town. The most conclusive reason he could assign for opposing the bill, was the petition he held in his hands²⁵⁷. The Petition ... was a long one, and was signed by the late Mayor, and some of the first inhabitants of Kingston, as well as the whole of the people of Lot No. 24. (Mr. Smith here read a few of the names first affixed to the petition, among which are the Venerable George O'Kill Stuart, Hon. John Macaulay, and Dr. Sampson.)²⁵⁸ If the people asked to be incorporated, he would vote for the bill in a moment,²⁵⁹ if they were divided on the subject he would ((still vote)) for it; but as they were unanimous against it, he should consider it his duty to oppose it.²⁶⁰ He would not compel them to it against their expressed wishes, and force them to bear a part of this enormous debt, he would therefore move that this clause be struck out.²⁶¹

MR. J. A. MACDONALD said, that in the passing of this particular clause, his constituents were most interested, and it was adopted by a large majority of the House last session. There was no difference of opinion of the matter.²⁶² He hoped those reasons which had influenced them in their vote then would have the same weight now.²⁶³ Lot 24, filled with 3,000 souls, was already a portion of the town to all intents and purposes.²⁶⁴ Every person acquainted with the place was well aware that the inhabitants of this Lot 24 benefited by the Town.²⁶⁵ They

lived on the town, used the market,²⁶⁶ they were the carters and butchers of Kingston,²⁶⁷ and had almost every privilege now enjoyed by the people of the town themselves.²⁶⁸ ((They)) would resist the bill of course as they did not wish to be subjected to taxation, but if they wanted to enjoy the same advantages as the townspeople, they should be made ((to)) pay for the common benefit.²⁶⁹ If the House considered that one-half of the people of the Town should (sic) pay the taxes of the whole, they would adopt this motion.²⁷⁰ It was true as his hon. friend said that the town was²⁷¹ considerably in debt, but it was a debt in which all were alike interested.²⁷² ((It)) had been contracted for the benefit of all, and was not very heavy, not more than £30,000 (hear, hear) £25,000 of which were expended on the New Market, which now pays at the rate of six per cent. The only difficulty lay in the deficiencies of the act of incorporation, which he hoped to remedy by this bill.²⁷³ With respect to the objection of the people of Lot No. 24 to the incorporation, he considered the present bill as very liberal to them, relieving them, as it did, from a great portion of the Taxes, and hoped the House would do a common act of justice to his constituents, by placing Lot No. 24 within the precincts of the town.²⁷⁴

MR. HALL would wish to know, whether Lot 24 had any voice in laying((ing)) such a weight of taxation on the town.²⁷⁵

MR. SMITH. - "No."²⁷⁶

MR. BALDWIN was of opinion that the reasoning of the hon. member for Kingston was perfectly sound²⁷⁷. This matter had been before the House for some time, and there was no difference of opinion respecting the necessity of the incorporation, except on the part of a few individuals.²⁷⁸ Last session there was scarcely any difference of opinion when this clause was passed. Whoever looked at the subject without local influences must admit that Lot 24 formed a part of the Town²⁷⁹ for several years²⁸⁰ and should pay its share for the benefits its inhabitants enjoyed.²⁸¹ As to exceeding the limits of the town, it was nothing unusual, the limits of every town were extended, and it was perfectly ridiculous to bring any such argument against it. The House would not do justice to the town, if they left this suburb out. As they grew up into a city, a portion of the inhabitants looked forward to exemptions that the people of no other city enjoyed, and this he should oppose.²⁸² As to the argument made use of by the hon. member for Frontenac, that these people had no voice in incurring the debt of Kingston, it might be used with equal justice as regards Toronto or any other rising Town. Whenever a Suburb grows up and becomes part of a town, it must be subject to the same taxation and that was exactly the position of the Lot 24.²⁸³ According to his view of the subject, Lot 24 was a part and parcel of the town, and he should vote against the motion and in favor of the original clause.²⁸⁴

MR. R. MACDONALD, of Cornwall, felt a great deal of interest in the city of KINGSTON, altho' not a resident there. The hon. gentleman opposite says that he feels the same interest, which he has shewn by

removing the Seat of Government from there.²⁸⁵ It struck him at first as very strange, that the hon. member for the 4th Riding of York should take so warm an interest in this cluse (sic); but then it came to his recollection that the inhabitants (sic) of Lot 24 were Conservatives to a man. He should like to know whether the interest taken by the hon. gentleman in the matter, was not for the purpose of relieving the county of Frontenac of a body of men who were all Conservatives, and throwing them into a town that was already Conservative, aye, Conservative to the backbone²⁸⁶, in order that by taking away the votes of those qualified from the county of Frontenac, they may be able to have a reform candidate returned for it; he did not know whether this had any effect - he only asked from curiosity.²⁸⁷ He scarcely expected an answer from the hon. gentleman, but he had little doubt of his object. It had been stated that the bill passed last session by a large majority; this was quite correct but at that time the sentiments of the people of Lot No. 24 were not known.²⁸⁸ That opinion had now been expressed, and he conceived that the lot in question ought not to be incorporated with the city of Kingston against the expressed wish of the inhabitants.²⁸⁹ The hon. gentleman wished to force them into the town against their consent, and he should consider it his duty to oppose this injustice. He hoped that gentlemen from Lower Canada would not support the hon. member for Kingston on this question, because that gentleman had voted with them, on another occasion, a few evenings since.²⁹⁰

MR. GOWAN regretted²⁹¹ deeply²⁹² that anything like party feeling should be introduced into the question²⁹³. It was a matter that should stand on its own merits. (Hear, hear.) He never knew an instance of any town or village, or of any rural District, being incorporated²⁹⁴ against the expressed wish of the inhabitants. There was now a protest on the table signed not by any portion or political party of the inhabitants;²⁹⁵ ((but)) from the whole of the inhabitants of Lot No. 24 against this annexation²⁹⁶; there was not a dissentient voice.²⁹⁷ He thought hon. gentlemen were not prepared to do so unusual and so unjust a thing. It had been stated that the whole of the people were Conservatives; this was not the case, at least if we judged by the votes on political questions. At the last election, a large number of the electors of Lot No. 24 had voted against his hon. friend from Frontenac--²⁹⁸

Hear, hear, from MR. SMITH.²⁹⁹

MR. GOWAN: He hoped that on this, as well as every other occasion, the House would proceed on the broad ground that no place should be annexed to another, without its own consent. - He appealed to hon. gentlemen opposite whether they would like to see this principle adopted.--The hon. gentleman (Mr. Baldwin) had stated that Lot No. 24 was a part of the town, and enjoyed all its advantages. The same thing might be said of the people of the county of York, with reference to the City of Toronto and the same principle might be applied, the same thing might be said of the people of Cornwall, and indeed³⁰⁰ it will hold good for any city or town in Upper Canada.³⁰¹ He protested against this House annexing this Lot, or any portion of the people, without their own con-

sent, and should vote for the motion of the hon. member for Frontenac.³⁰²

MR. BALDWIN explained that there was no analogy whatever between the cases of the County of York and Lot 24, cited by the gentleman who had just taken his seat.³⁰³

MR. BOULTON never knew an instance of a town being extended after it was incorporated, and he hoped that Lot No. 24 would not be dragged into Kingston, against its own wish.³⁰⁴ ((He)) did not believe that there was an instance to be found in which any place had ever been incorporated against the wish of the people. He said that in all cases the advantages must be equal, but³⁰⁵ the people of this Lot enjoyed no advantages from the town, had no improvements made in their own locality, so that there could not be any of the material advantages stated by hon. member. It would be monstrous to annex the people of this Lot to a town saddled with a debt of £10,000, which they had no voice in contracting.³⁰⁶ He would ask the hon. member for the North Riding if he would consent to have Yorkville incorporated with Toronto? Yet they enjoy the same advantage with Toronto as does Lot 24 in reference to Kingston.³⁰⁷

MR. SEYMOUR made a few remarks objecting to the lot being incorporated with Kingston, as they had not had a voice in incurring a heavy debt for which they would be taxed.³⁰⁸ The hon. member for Kingston had stated that the Bill, and the circumstances under which it was introduced, was the same as last year. This was an error. The debt of the town was nearly double, and the hon. member had himself resigned his office, as an Alderman of the town, on account of the heavy debt and bad management, and in consequence of the Commercial Bank having instructed the hon. gentleman, as its Solicitor, to commence proceedings against the town for the recovery of money advanced.

He hoped hon. gentlemen would forget party, and do what was honest; and he contended that Lot No. 24 should not be forced into the town, when its inhabitants had protested against it.³⁰⁹

MR. J. A. MACDONALD explained that his resignation as Alderman, was on account of his frequent absence, and being totally unable to attend to the duties. The hon. gentleman from Lenox (sic) and Addington wished to retain Lot No. 24 in the District, as the District Council, of which the hon. gentleman was a member, derived a large portion of their revenue from this quarter. The District Council had it long enough, and it was full time that they should give it up. As to the credit of the town, he had to admit that was not very good, but this was from bad management with respect to the debt³¹⁰ ((by a)) bad Corporation³¹¹. The return to the revenue is quite sufficient to meet the expenses.³¹²

MR. SMITH read from a Kingston paper which he had just received, a statement of the debt of the town, and complained loudly that his unfortunate constituents (sic) should be compelled to pay it.³¹³

MR. J. A. MACDONALD declared the statement to be UNTRUE. The Corporation had published a regular statement a short time since, and it was nothing like that just read by the member for Frontenac.³¹⁴

Several members here rose to speak, but loud cries of "question" from every quarter of the House, forced them to resume their seats.³¹⁵

The motion that that portion of the 3rd clause, which relates to the annexation of Lot No. 24, be expunged, was then put and carried; ayes 29, nays 15--the whole of the Ministry, and a few Lower Canada members, voting in the affirmative.³¹⁶

MR. SMITH said, that now he would heartily support his hon. friend from Kingston with every other clause of the bill.³¹⁷

MR. J. A. MACDONALD expressed some rather equivocal obligations to the hon. member for his kindness.--³¹⁸

The various clauses of the bill were read and adopted with one or two trifling alterations³¹⁹.

MR. J. A. MACDONALD moved that the 15th clause be re-considered. This clause fixes the qualification for electors at £10; but Mr. McD. said he had received instructions from his constituents to have it reduced to £7 10.³²⁰

The House would not listen to the proposed reduction--not one member could be found in favor of the change.³²¹

16th Clause.--MR. GOWAN did not like the plan of the whole Corporation going out annually. He thought one third of the number was quite sufficient. He said he should not at this late hour oppose the clause, but that if it was retained he should vote against the whole bill on the third reading.³²²

MR. J. A. MACDONALD said, that the bill had been adopted at a public meeting, and the people themselves wished it.³²³

The clause remains as it was.³²⁴

17th Clause.--MR. SOL. GEN. SHERWOOD moved the re-consideration of the 17th clause. He did not like to have the Mayor of the city constituted a Justice of the Peace for the District.³²⁵

MR. J. A. MACDONALD explained the reasons than (sic) induced the framers of the Bill to insert the clause but without effect. The Mayor is to be a magistrate only within the circuits of the town.³²⁶ *

POLICE MAGISTRATE.--MR. GOWAN objected to the clause which provides that the police Magistrate shall be taken from amongst the inhabitants, and moved the expulsion of the words "from the resident inhabitants thereof."³²⁷

The alteration was agreed to almost unanimously.³²⁸

ASSESSMENTS.--MR. GOWAN did not agree in the principle of placing a fixed value on unoccupied lots, and considered the proposed rates much too low.³²⁹

MR. SOL. GEN. SHERWOOD explained that the system was generally adopted, that unoccupied lots should have a fixed value; but the moment they were

occupied, the regular system of assessment would be enforced.³³⁰

Mr. Gowan's objection was not pressed.³³¹

DISTRICT COMMUTATION;--MR. SEYMOUR moved the re-consideration of the 59th clause, which provides that the Town shall pay the District the sum of £300, annually, as a commutation of the District Taxes. Mr. Seymour said that the actual assessment was about £900, and that the Town was already indebted to the District in a large sum, which there was no prospect of being paid, and he thought this clause should be rejected.³³²

MR. J. A. MACDONALD was satisfied that as the House had decided on depriving Kingston of Lot No. 24, they would assist him in resisting the proposition of the member for Lenox (sic) and Addington. The city of Toronto had not long since paid the Home District £400, which very recently had been increased to £600, and he thought that half that sum was quite enough for Kingston to pay. His constituents wished to pay the District Council a fixed sum; and when hon. members recollected that the town was not represented in the District Council,--that none of the District money was expended within the limits of the town,--and that now the expenses of the administration of Justice were to be paid out of the public revenue--he was certain they would join him in resisting this exorbitant demand. He was willing the Council should have any security they pleased for the amount proposed, but would not give them a fraction more than £300.³³³

MR. SEYMOUR said the town now owed the District £2,300, and that this sum could not be obtained. The District Council had now a bond against the town for £100, and had been compelled to sue for it, without attention being paid to the proceedings. He said the credit of the town was at the lowest ebb, that its debentures were hawked about, and could hardly be disposed of on any terms, and much more equally complimentary. The District Council had recently appointed an assessor and a collector in the town, and by this means they hoped to recover a portion of the debt the people of Kingston owed them.³³⁴

MR. HALL thought £300 quite too much--If Toronto paid £600, Kingston should not, at all events, be compelled to pay more than one half that sum, especially as the House had just decided to exclude a portion of the town, from which the revenue should be partly derived.³³⁵

MR. ROBLIN said they would not have much objection to take £300, but the Council could not obtain even that.³³⁶

The House divided, and Mr. Seymour had only three votes against the clause.³³⁷

MR. SEYMOUR here taunted Mr. Smith with representing a part of the District, and not being sufficiently zealous of its interests.³³⁸

MR. SMITH thanked the hon. member, and said that he took the responsibility of the proceeding.³³⁹

MR. SEYMOUR then moved that the 59th clause be expunged, and another

inserted in its stead, to the effect that the District Council be not compelled to collect their taxes in the town, but that they receive the amount from the Treasury within three months from the time of the taxes becoming due.--³⁴⁰

((The motion was)) lost; only four members voting for it.³⁴¹

MR. SEYMOUR moved another amendment, but the noise in the House prevented its being heard.--It was, however, disposed of very summarily, in the same manner as the motion immediately preceding.³⁴²

MR. J. A. MACDONALD moved that the Committee rise and report the bill³⁴³.

((The motion)) was carried³⁴⁴.

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chabot reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Toronto Incorporation Bill. The Order of the Day for the second reading of the Bill to amend the Act of incorporation of the City of Toronto, being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Boulton, Mr. Duggan, the Honourable Mr. Solicitor General Sherwood, the Honourable Mr. Baldwin, and Mr. Price, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Wolfe Island Railroad Bill. Ordered, That the Bill to incorporate "the Wolfe Island, Kingston, and Toronto Railroad Company," as reported by the Select Committee on Railroads, be committed to a Committee of the whole House on Monday next.

Peterborough Railroad Bill. Ordered, That the Bill to incorporate "the Peterborough and Port Hope Railway Company," as reported by the Select Committee on Railroads, be committed to a Committee of the whole House on Monday next.

Orders Postponed. Ordered, That the remaining Orders of the Day be postponed until Monday next.

Then, on motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Cayley,

The House adjourned until Monday next.³⁴⁵

APPENDIX, 1 MAY 1846.

((NOTICE OF RESOLUTIONS RE: ADDRESS TO HER MAJESTY RE:
PROTECTION OF AGRICULTURALISTS.))³⁴⁶

MR. MERRITT. - On Monday next will submit, for the consideration of this house Sundry Resolutions, on which to found an address to Her Majesty, praying that in as much as an equivalent has been extended to the Agriculturists in Britain for the protection withdrawn on their products, that she will be pleased to extend a similar equivalent to the Agriculturists, of Canada.

First. - By removing all duties on the products of Canada, when admitted into the Ports of Britain.

Secondly. - By repealing all Imperial Acts, relating to duties on commerce, navigation, revenue, trade, or intercourse between Canada and any other country thereby relieving her commerce from all restrictions, except what may be imposed by Her Provincial Legislature.

Third. - That Her Majesty's Government may be pleased to open a negotiation with the Government of the United States for the purpose of obtaining free access for the products of Canada into their markets, on the same terms that American products are to be admitted into the markets of Britain and Canada.

Fourth. - Also, that the free passage of the River St. Lawrence, and the canals connected with the same, from Lake Ontario to the ocean, may be opened to all nations. Subject to no greater restrictions than, in passing the Welland Canal, around the Falls of Niagara, to secure a revenue from tolls for the cost of their construction.³⁴⁷

((NOTICES OF MOTION RE: ADMINISTRATION OF JUSTICE; BOARD OF WORKS.))

MR. INSP. GEN. CAYLEY gave notice of his intention to introduce a bill to charge the expenses of the Administration of Justice in Upper Canada upon the consolidate revenue. He also announced his intention to bring in a bill to amend the law constituting the Board of Works.³⁴⁸

FOOTNOTES - 1 MAY 1846.

1. The following was reported by: MIRROR, 1 May 1846, incorrectly dated as 4 May, and PILOT, 7 May 1846, in identical accounts; and LA MINERVE, 4 May 1846. A commentary appeared in LE JOURNAL DE QUEBEC, 5 May 1846. MONTREAL GAZETTE, 4 May 1846, observed: "There was a short discussion on Mr. Attorney General Smith's Bill to amend the Judicature Act of Lower Canada, which was principally confined to the French lawyers."
2. MIRROR, 1 May 1846, incorrectly dated as 4 May.
3. IBID.
4. LA MINERVE, 4 May 1846.
5. MIRROR, 1 May 1846, incorrectly dated as 4 May.
6. MONTREAL GAZETTE, 4 May 1846.
7. The following was reported by: MONTREAL GAZETTE, 4 May 1846; MONTREAL TRANSCRIPT, 5 May 1846, and KINGSTON NEWS, 7 May 1846, in identical accounts; and MIRROR, 1 May 1846, incorrectly dated as 4 May, and PILOT, 7 May 1846, in identical accounts. This question has been inserted in the context of the debates rather than in the Appendix, as the MONTREAL GAZETTE, 4 May 1846, specifically observed that Mr. Chabot made his enquiry "on the rising of the Committee" on the Land Act.
8. MONTREAL GAZETTE, 4 May 1846.
9. MONTREAL TRANSCRIPT, 5 May 1846.
10. MONTREAL GAZETTE, 4 May 1846.
11. The debate on this motion was reported by: MONTREAL TRANSCRIPT, 5 May 1846, and KINGSTON NEWS, 7 May 1846, in identical accounts; MONTREAL GAZETTE, 4 May 1846; COBOURG STAR, 6 May 1846, in an account copying MONTREAL COURIER; LA MINERVE, 4 May 1846; and MIRROR, 1 May 1846, and PILOT, 5 May 1846, in identical accounts. KINGSTON NEWS, 4 May 1846, in an account copied from PILOT, 2 May 1846, noted the debate and described it as "very animated". COBOURG STAR, 6 May 1846, described the debate as "perhaps of more importance to the Commercial world than any that has taken place this Session."
12. MIRROR, 1 May 1846.
13. MONTREAL GAZETTE, 4 May 1846.
14. MIRROR, 1 May 1846.
15. MONTREAL GAZETTE, 4 May 1846.
16. MIRROR, 1 May 1846.
17. MONTREAL GAZETTE, 4 May 1846.
18. MIRROR, 1 May 1846.
19. MONTREAL GAZETTE, 4 May 1846.
20. MIRROR, 1 May 1846.
21. MONTREAL GAZETTE, 4 May 1846.
22. MONTREAL TRANSCRIPT, 5 May 1846.
23. MONTREAL GAZETTE, 4 May 1846.
24. MIRROR, 1 May 1846.
25. IBID. MONTREAL GAZETTE, 4 May 1846, commented: "Mr. DeWitt

made some observations which were almost inaudible in the reporter's gallery."

26. MIRROR, 1 May 1846.
27. IBID.
28. MONTREAL GAZETTE, 4 May 1846.
29. MIRROR, 1 May 1846.
30. IBID.
31. MONTREAL GAZETTE, 4 May 1846.
32. IBID.
33. MIRROR, 1 May 1846.
34. MONTREAL GAZETTE, 4 May 1846.
35. MIRROR, 1 May 1846.
36. MONTREAL GAZETTE, 4 May 1846.
37. MONTREAL TRANSCRIPT, 5 May 1846.
38. MIRROR, 1 May 1846.
39. MONTREAL GAZETTE, 4 May 1846.
40. MIRROR, 1 May 1846.
41. MONTREAL TRANSCRIPT, 5 May 1846.
42. MIRROR, 1 May 1846.
43. MONTREAL TRANSCRIPT, 5 May 1846.
44. MIRROR, 1 May 1846.
45. MONTREAL TRANSCRIPT, 5 May 1846.
46. MIRROR, 1 May 1846. MONTREAL TRANSCRIPT, 5 May 1846, reported the time period as three months.
47. MIRROR, 1 May 1846.
48. MONTREAL TRANSCRIPT, 5 May 1846.
49. MIRROR, 1 May 1846.
50. MONTREAL TRANSCRIPT, 5 May 1846.
51. MIRROR, 1 May 1846.
52. MONTREAL GAZETTE, 4 May 1846.
53. IBID.
54. IBID.
55. MIRROR, 1 May 1846.
56. MONTREAL TRANSCRIPT, 5 May 1846.
57. MIRROR, 1 May 1846.
58. MONTREAL GAZETTE, 4 May 1846.
59. MIRROR, 1 May 1846.
60. MONTREAL TRANSCRIPT, 5 May 1846.
61. MIRROR, 1 May 1846.
62. MONTREAL TRANSCRIPT, 5 May 1846.
63. MIRROR, 1 May 1846.
64. MONTREAL TRANSCRIPT, 5 May 1846.
65. MIRROR, 1 May 1846.
66. MONTREAL GAZETTE, 4 May 1846.
67. MIRROR, 1 May 1846.
68. MONTREAL GAZETTE, 4 May 1846.
69. MIRROR, 1 May 1846.
70. MONTREAL TRANSCRIPT, 5 May 1846.
71. MIRROR, 1 May 1846.
72. IBID.

73. MONTREAL GAZETTE, 4 May 1846.
74. MIRROR, 1 May 1846.
75. MONTREAL GAZETTE, 4 May 1846.
76. MIRROR, 1 May 1846.
77. MONTREAL GAZETTE, 4 May 1846.
78. MIRROR, 1 May 1846.
79. COBOURG STAR, 6 May 1846, observed that "Mr. Draper made a most eloquent and unanswerable speech on the question".
80. MONTREAL TRANSCRIPT, 5 May 1846.
81. MIRROR, 1 May 1846.
82. MONTREAL TRANSCRIPT, 5 May 1846.
83. MONTREAL GAZETTE, 4 May 1846.
84. MIRROR, 1 May 1846.
85. MONTREAL GAZETTE, 4 May 1846.
86. MIRROR, 1 May 1846.
87. MONTREAL TRANSCRIPT, 5 May 1846.
88. MIRROR, 1 May 1846.
89. MONTREAL GAZETTE, 4 May 1846.
90. MIRROR, 1 May 1846.
91. MONTREAL GAZETTE, 4 May 1846.
92. MIRROR, 1 May 1846.
93. MONTREAL GAZETTE, 4 May 1846.
94. MIRROR, 1 May 1846.
95. MONTREAL TRANSCRIPT, 5 May 1846.
96. MONTREAL GAZETTE, 4 May 1846.
97. MONTREAL TRANSCRIPT, 5 May 1846.
98. MONTREAL GAZETTE, 4 May 1846.
99. MIRROR, 1 May 1846.
100. MONTREAL TRANSCRIPT, 5 May 1846.
101. MONTREAL GAZETTE, 4 May 1846.
102. MIRROR, 1 May 1846. MONTREAL TRANSCRIPT, 5 May 1846, quoted the alleged sum as £840 and MONTREAL GAZETTE, 4 May 1846, as £450.
103. MIRROR, 1 May 1846.
104. MONTREAL TRANSCRIPT, 5 May 1846.
105. MIRROR, 1 May 1846.
106. MONTREAL GAZETTE, 4 May 1846.
107. MIRROR, 1 May 1846.
108. MONTREAL TRANSCRIPT, 5 May 1846.
109. MIRROR, 1 May 1846.
110. MONTREAL TRANSCRIPT, 5 May 1846.
111. MIRROR, 1 May 1846.
112. MONTREAL TRANSCRIPT, 5 May 1846.
113. MIRROR, 1 May 1846.
114. MONTREAL TRANSCRIPT, 5 May 1846.
115. MIRROR, 1 May 1846.
116. MONTREAL GAZETTE, 4 May 1846.
117. MONTREAL TRANSCRIPT, 5 May 1846.
118. MONTREAL GAZETTE, 4 May 1846.
119. MONTREAL TRANSCRIPT, 5 May 1846.

120. MIRROR, 1 May 1846.
121. MONTREAL GAZETTE, 4 May 1846.
122. MONTREAL TRANSCRIPT, 5 May 1846.
123. MIRROR, 1 May 1846.
124. MONTREAL TRANSCRIPT, 5 May 1846.
125. MONTREAL GAZETTE, 4 May 1846. MIRROR, 1 May 1846, referred to Charles I.
126. MONTREAL TRANSCRIPT, 5 May 1846.
127. MONTREAL GAZETTE, 4 May 1846.
128. MONTREAL TRANSCRIPT, 5 May 1846.
129. MIRROR, 1 May 1846.
130. MONTREAL TRANSCRIPT, 5 May 1846.
131. MIRROR, 1 May 1846.
132. MONTREAL TRANSCRIPT, 5 May 1846.
133. MIRROR, 1 May 1846.
134. MONTREAL GAZETTE, 4 May 1846.
135. MONTREAL TRANSCRIPT, 5 May 1846.
136. MIRROR, 1 May 1846.
137. MONTREAL TRANSCRIPT, 5 May 1846.
138. MIRROR, 1 May 1846.
139. MONTREAL TRANSCRIPT, 5 May 1846.
140. MIRROR, 1 May 1846.
141. MONTREAL TRANSCRIPT, 5 May 1846.
142. MONTREAL GAZETTE, 4 May 1846.
143. MONTREAL TRANSCRIPT, 5 May 1846.
144. MIRROR, 1 May 1846.
145. MONTREAL TRANSCRIPT, 5 May 1846.
146. MONTREAL GAZETTE, 4 May 1846.
147. MONTREAL TRANSCRIPT, 5 May 1846.
148. MONTREAL GAZETTE, 4 May 1846.
149. MONTREAL TRANSCRIPT, 5 May 1846.
150. MONTREAL GAZETTE, 4 May 1846.
151. MONTREAL TRANSCRIPT, 5 May 1846.
152. MIRROR, 1 May 1846.
153. MONTREAL GAZETTE, 4 May 1846.
154. MONTREAL TRANSCRIPT, 5 May 1846.
155. IBID.
156. IBID.
157. IBID.
158. IBID.
159. MIRROR, 1 May 1846.
160. MONTREAL GAZETTE, 4 May 1846.
161. MONTREAL TRANSCRIPT, 5 May 1846.
162. MIRROR, 1 May 1846.
163. MONTREAL GAZETTE, 4 May 1846.
164. MONTREAL TRANSCRIPT, 5 May 1846.
165. MIRROR, 1 May 1846.
166. MONTREAL GAZETTE, 4 May 1846.
167. MIRROR, 1 May 1846.
168. MONTREAL GAZETTE, 4 May 1846.

169. MIRROR, 1 May 1846.
170. MONTREAL GAZETTE, 4 May 1846.
171. MONTREAL TRANSCRIPT, 5 May 1846.
172. MIRROR, 1 May 1846.
173. MONTREAL GAZETTE, 4 May 1846.
174. MIRROR, 1 May 1846.
175. MONTREAL GAZETTE, 4 May 1846.
176. MIRROR, 1 May 1846.
177. MONTREAL GAZETTE, 4 May 1846.
178. MIRROR, 1 May 1846.
179. MONTREAL GAZETTE, 4 May 1846.
180. MIRROR, 1 May 1846.
181. MONTREAL GAZETTE, 4 May 1846.
182. MIRROR, 1 May 1846.
183. MONTREAL GAZETTE, 4 May 1846.
184. MIRROR, 1 May 1846.
185. IBID. MONTREAL GAZETTE, 4 May 1846, noted: "Mr. Moffatt spoke in so low a voice that the reporter could with difficulty hear him."
186. MIRROR, 1 May 1846.
187. MONTREAL TRANSCRIPT, 5 May 1846.
188. MIRROR, 1 May 1846.
189. MONTREAL TRANSCRIPT, 5 May 1846.
190. MIRROR, 1 May 1846.
191. MONTREAL TRANSCRIPT, 5 May 1846.
192. MIRROR, 1 May 1846.
193. MONTREAL TRANSCRIPT, 5 May 1846.
194. MIRROR, 1 May 1846.
195. MONTREAL TRANSCRIPT, 5 May 1846.
196. MIRROR, 1 May 1846.
197. MONTREAL TRANSCRIPT, 5 May 1846.
198. MIRROR, 1 May 1846.
199. MONTREAL TRANSCRIPT, 5 May 1846.
200. MIRROR, 1 May 1846.
201. IBID.
202. MONTREAL GAZETTE, 4 May 1846.
203. MIRROR, 1 May 1846.
204. MONTREAL GAZETTE, 4 May 1846.
205. IBID.
206. IBID.
207. IBID.
208. IBID.
209. COBOURG STAR, 6 May 1846.
210. MONTREAL GAZETTE, 4 May 1846.
211. IBID.
212. MONTREAL TRANSCRIPT, 5 May 1846.
213. The debate on this matter was reported by: MIRROR, 1 May 1846 misdated as 4 May, and PILOT, 7 May 1846, copied by KINGSTON NEWS, 11 May 1846, in identical accounts; and COBOURG STAR, 13 May 1846. The MONTREAL TRANSCRIPT, 5 May 1846, noted the debate.

214. MIRROR, 1 May 1846, misdated as 4 May.
215. COBOURG STAR, 13 May 1846.
216. MIRROR, 1 May 1846, misdated as 4 May.
217. IBID.
218. IBID.
219. COBOURG STAR, 13 May 1846.
220. IBID.
221. MIRROR, 1 May 1846, misdated as 4 May.
222. COBOURG STAR, 13 May 1846.
223. MIRROR, 1 May 1846, misdated as 4 May.
224. COBOURG STAR, 13 May 1846.
225. MIRROR, 1 May 1846, misdated as 4 May.
226. COBOURG STAR, 13 May 1846.
227. IBID.
228. MIRROR, 1 May 1846, misdated as 4 May.
229. COBOURG STAR, 13 May 1846. MIRROR, 1 May 1846, misdated as 4 May. reported this portion of the speech as "one half of the whiskey that is now used in the country is smuggled."
230. MIRROR, 1 May 1846, misdated as 4 May.
231. COBOURG STAR, 13 May 1846. The MIRROR, 1 May 1846, misdated as 4 May, gave the figure as £18,000.
232. COBOURG STAR, 13 May 1846.
233. MIRROR, 1 May 1846, misdated as 4 May.
234. COBOURG STAR, 13 May 1846.
235. MIRROR, 1 May 1846, misdated as 4 May.
236. COBOURG STAR, 13 May 1846.
237. MIRROR, 1 May 1846, misdated as 4 May.
238. COBOURG STAR, 13 May 1846, commented that Roblin "made an excellent speech on Temperance".
239. MIRROR, 1 May 1846, misdated as 4 May.
240. COBOURG STAR, 13 May 1846.
241. MIRROR, 1 May 1846, misdated as 4 May.
242. COBOURG STAR, 13 May 1846.
243. IBID.
244. MIRROR, 1 May 1846, misdated as 4 May.
245. COBOURG STAR, 13 May 1846.
246. IBID.
247. MIRROR, 1 May 1846, misdated as 4 May.
248. The debate on this matter was reported by: MIRROR, 1 May 1846, misdated as 4 May, and PILOT, 7 May 1846, in identical accounts; KINGSTON NEWS, 11 May 1846; and COBOURG STAR, 13 May 1846. KINGSTON NEWS, 4 May 1846, in an account copied from PILOT, 2 May 1846, noted the debate and commented that "a somewhat warm discussion" ensued. According to KINGSTON NEWS, 11 May 1846, the matter came up for debate "at a late hour".
249. KINGSTON NEWS, 11 May 1846.
250. IBID.
251. IBID.
252. IBID.
253. IBID. The MIRROR, 1 May 1846, misdated as 4 May, gave the figure

as 175.

254. KINGSTON NEWS, 11 May 1846.
255. MIRROR, 1 May 1846, misdated as 4 May.
256. KINGSTON NEWS, 11 May 1846.
257. MIRROR, 1 May 1846, misdated as 4 May.
258. KINGSTON NEWS, 11 May 1846.
259. MIRROR, 1 May 1846, misdated as 4 May.
260. KINGSTON NEWS, 11 May 1846.
261. MIRROR, 1 May 1846, misdated as 4 May.
262. KINGSTON NEWS, 11 May 1846.
263. MIRROR, 1 May 1846, misdated as 4 May.
264. KINGSTON NEWS, 11 May 1846.
265. MIRROR, 1 May 1846, misdated as 4 May.
266. KINGSTON NEWS, 11 May 1846.
267. MIRROR, 1 May 1846, misdated as 4 May.
268. KINGSTON NEWS, 11 May 1846.
269. MIRROR, 1 May 1846, misdated as 4 May.
270. KINGSTON NEWS, 11 May 1846.
271. MIRROR, 1 May 1846, misdated as 4 May.
272. KINGSTON NEWS, 11 May 1846.
273. MIRROR, 1 May 1846, misdated as 4 May.
274. KINGSTON NEWS, 11 May 1846.
275. MIRROR, 1 May 1846, misdated as 4 May.
276. IBID.
277. IBID.
278. KINGSTON NEWS, 11 May 1846.
279. MIRROR, 1 May 1846, misdated as 4 May.
280. KINGSTON NEWS, 11 May 1846.
281. MIRROR, 1 May 1846, misdated as 4 May.
282. KINGSTON NEWS, 11 May 1846.
283. MIRROR, 1 May 1846, misdated as 4 May.
284. KINGSTON NEWS, 11 May 1846.
285. MIRROR, 1 May 1846, misdated as 4 May.
286. KINGSTON NEWS, 11 May 1846.
287. MIRROR, 1 May 1846, misdated as 4 May.
288. KINGSTON NEWS, 11 May 1846.
289. MIRROR, 1 May 1846, misdated as 4 May.
290. KINGSTON NEWS, 11 May 1846.
291. MIRROR, 1 May 1846, misdated as 4 May.
292. KINGSTON NEWS, 11 May 1846.
293. MIRROR, 1 May 1846, misdated as 4 May.
294. KINGSTON NEWS, 11 May 1846.
295. MIRROR, 1 May 1846, misdated as 4 May.
296. KINGSTON NEWS, 11 May 1846.
297. MIRROR, 1 May 1846, misdated as 4 May.
298. KINGSTON NEWS, 11 May 1846.
299. IBID.
300. IBID.
301. MIRROR, 1 May 1846, misdated as 4 May.
302. KINGSTON NEWS, 11 May 1846.
303. IBID.
304. IBID.

305. MIRROR, 1 May 1846, misdated as 4 May.
306. KINGSTON NEWS, 11 May 1846.
307. MIRROR, 1 May 1846, misdated as 4 May.
308. IBID.
309. KINGSTON NEWS, 11 May 1846.
310. IBID.
311. MIRROR, 1 May 1846, misdated as 4 May.
312. KINGSTON NEWS, 11 May 1846.
313. IBID.
314. IBID.
315. IBID.
316. IBID.
317. IBID.
318. IBID.
319. IBID.
320. IBID.
321. IBID.
322. IBID.
323. IBID.
324. IBID.
325. IBID.
326. IBID.
327. IBID.
328. IBID.
329. IBID.
330. IBID.
331. IBID.
332. IBID.
333. IBID.
334. IBID.
335. IBID.
336. IBID.
337. IBID.
338. IBID.
339. IBID.
340. IBID.
341. IBID.
342. IBID.
343. IBID.
344. IBID.
345. According to KINGSTON NEWS, 11 May 1846, the adjournment took place at "five minutes before midnight."
346. This notice was reported by: MIRROR, 1 May 1846, and PILOT, 7 May 1846, in identical accounts; and ST. CATHARINES JOURNAL, 14 May 1846.
347. MIRROR, 1 May 1846.
348. KINGSTON NEWS, 4 May 1846.

MONDAY, 4 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought
up and laid on the table:--

By the Honourable Mr. Attorney General Draper,--
The Petition of L. Lawrason, Esquire, and others, of the District of
London.

By Mr. Hall,--The Petition of James Bird and others, of the Town of
Peterborough and its vicinity.

By Mr. Merritt,--The Petition of D. Campbell, M.D., and others, Medi-
cal Practitioners of Canada West.

By Mr. Brooks,--The Petition of A. Sanborn, Esquire, and others, of
the Township of Roxton, in the County of Shefford; and the Petition of
William H. Bullock and others, of Roxton, in the County of Shefford.

By Mr. Monro,--The Petition of John Strickland, of the Township of
Whitby, in the Home District; and the Petition of W. Stewart Darling and
others, members of the United Church of England and Ireland, in the Town-
ship of Scarborough, in the Diocese of Toronto.

By the Honourable Mr. Baldwin,--The Petition of William Caldwell
and others, of the Township of Reach, in the Home District; and the
Petition of Thomas Proul and others, of the Township of Sophiasburgh,
in the District of Prince Edward.

By Mr. Roblin,--The Petition of John Roaf and others, office-bear-
ers and members of the Committee of the Temperance Reformation Society
of the City of Toronto.

By the Honourable Mr. Robinson,--The Petition of W. B. Jarvis,
Esquire, and others.

By the Honourable Mr. Solicitor General Sherwood,--The Petition of
Henry Miller and others, of the Province of Canada, Commuted Pensioners.

By Mr. M'Connell,--The Petition of A. Adams and others, inhabitants
of the Township of Barnston.

By Mr. Macdonald of Kingston,--The Petition of William Ramsay and
others, inhabitants of Kingston who assembly in the Baptist Chapel.

By Mr. Boulton,--The Petition of the Reverend Thomas Phillips, of
the Township of Etobicoke, in the Home District; the Petition of J.
Gamble Geddes and others, members of the United Church of England and
Ireland, of the Town of Hamilton, in the Gore District, in the Diocese
of Toronto, (relating to King's College); the Petition of J. Gamble Geddes
and others, of the Town of Hamilton, in the Gore District, (relating to
Schools); the Petition of Messieurs Gooderham and Worts and other Dis-
tillers, of the City of Toronto, and Home District.

By Mr. LeMoine,--The Petition of Hubert Bourassa, Senior, of the
Parish of Laprairie, Esquire; and the Petition of Mrs. Mary Allen, of
Sherrington, in the County of Shefford, widow of the late James Allen.

St. Lawrence
and Atlantic
Railroad Bill.

An Engrossed Bill to amend the Act incorporating
"the St. Lawrence and Atlantic Railroad Company,"
was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Saguenay An Engrossed Bill to make special provision for
Pilots Bill. the Pilotage of Vessels bound to the River Saguenay,
was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Laterrière do carry the said Bill to the Legislative Council, and desire their concurrence.

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Notarial Pro- An Engrossed Bill for the better regulation of
fession Bill, the Notarial Profession in Lower Canada, was read for
(L. C.) the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Laurin do carry the said Bill to the Legislative Council, and desire their concurrence.

Customs Bill. An Engrossed Bill to alter and amend the Laws im-
posing Provincial Duties of Customs, was read for the
third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read. Pursuant to the Order of the Day, the following
Petitions were read:--

Of Joseph Heywood and others, members of the United Church of England and Ireland, in the Townships of Burford and Norwich, in the Diocese of Toronto; praying that measures may be adopted for vesting in the Church Society of the Diocese of Toronto, for the benefit of the said Church, such a portion of the Clergy Reserve Lands as shall correspond with their share of the income arising from the same.

Of Michael M'Carthy, a Messenger of the Legislative Assembly; stating that he has heard it is the intention of the House to appoint a night-watch to guard the Parliament Buildings during the recess, and praying to be employed in that capacity.

Of James Voller and John Kay, Messengers of the Legislative Assembly, praying for a retired allowance.

Of Alexander M'Lean, Esquire, and others, of the town of Cornwall, praying for an investigation into the cause of delay in Chancery in a matter relating to two Lots in the said Town, granted by the Government for the purposes of a Market, and for the recovery of the said Lots for the purposes aforesaid.

Of Archibald Campbell, Esquire, and others, of the city of Quebec, and its environs; praying for the improvement of certain roads.

Of Joseph J. Higgins, and others, of the County of Missisquoi; pray-

ing that their interests may be protected by the imposition of a specific duty on axes and scythes of Foreign manufacture, and to prevent such from being imported at a fictitious value.

Of Robert Fleming Gourlay, setting forth:--That the Petitioner has been before the Legislatures of Upper Canada, and Canada, these last ten years, defending his rights, as a British subject, and keeping in view his landed property in the Province. That, being in the State of Ohio, in the year 1836, he had a Memorial presented to the House of Assembly, Upper Canada, reciting facts, and suggesting measures, but with no special prayer. That being in the Township of Niagara in Upper Canada, in the year 1839, he had a Memorial presented to the Assembly, continuing the recital of facts, and praying for a commission to investigate on the spot, all the circumstances as to his imprisonment in Niagara Jail, in the year 1819. That, had this simple prayer been acted on, the Petitioner would immediately have gone to England, there to lay evidence, obtained, before the Imperial Parliament; but, instead of this, an Address was carried to the Lieutenant Governor highly injurious to the Petitioner; in so much, that he was thereby obliged to remain in Upper Canada, under most distressing circumstances. That, in the year 1841, the Petitioner had a Petition presented to the House, including copies of the above mentioned Memorials, with other Documents; and praying that all should be seriously considered. That, this Petition was referred to a Select Committee, and reported on, to the entire satisfaction of the Petitioner. That, a Petition was presented to the House, this present Session, including the Report of 1841, and having, annexed, a Report of the Executive Council;--all of which has been printed. That, the Petitioner, from respect to the House, attached to this Petition no special prayer,--believing that the House would, on sight of the Report of Council, repel the assaults thereof, and sustain its own positions; but, after debate, nothing was concluded; and it is now the duty of the Petitioner to speak for himself, which he proceeds to do:--The Report of Council is cunningly devised. In its assertions, it is bold and deceptive; and,--in its arguments, fallacious;--sometimes begging the question when that is inadmissible; and, often insinuating, purposely to mislead. In one place, it takes for certain, what, in another, it gives up to doubt. It does not state, fairly, under what circumstances the Act of 1804 was framed; and, makes question as to its application, while none can be entertained. In the year 1802, there remained, under sentence of death for rebellion in Ireland, many persons whom the Government was loth to execute, after the general peace. An offer was therefore made, that they should go free, on condition of expatriating themselves, and leaving the kingdom for ever,--which offer, they gladly accepted. Some of them went to the United States, where they found many rebel friends, who had escaped from Ireland; and, were soon after joined by others, who fled from justice, after the insurrection in Dublin, in the year 1803. It was to protect Upper Canada against these desperate men that the Act of 1804 was passed; and, towards them or aliens, there was nothing in it to be complained of, however barbarous; for, they lay under no necessity of going into the Province; and, if there, could suffer no damage, by an order to de-

part. How very different was the case of the Petitioner! He was an unattainted British subject: had a right to land, in Upper Canada, ten years before he set foot in it:--and, moreover, after two honourable acquittals on jury trial, had, in confidence of security, sent to England a power of Attorney for settlement of his affairs in Great Britain, in order that he might, untrammelled, establish a Colonial Land Agency. Would any man, so circumstanced, obey an order to leave the Province? Certainly not. The Report of Council says, that: "Being a native born subject of the Crown does not enter into the question." Monstrous effrontery! Did the writer of that Report not know the distinction between natural and local allegiance? or, did he mean to sink the condition of an unattainted British subject to the level of that of aliens, expatriated persons, and outlaws? But, before uttering this unblushing assertion, he had declared,--referring to the Act itself, "that actual residence in the Province and the taking the oath of allegiance were the necessary qualifications which would exempt any person from the operation of the law." Even, here, the Report of Council falsifies, in substituting AND for OR. But, in no way, was the Petitioner subject to the law;--for, he had not only taken the oath of allegiance, but had actually resided in the Province eighteen months before he was ordered to depart;--and, when he sued for liberation by Writ of habeas corpus, an affidavit was attached to the Writ, testifying that he had domiciled, in one house, nine months, viz: in the house of Robert Hamilton, Esquire, of Queenston, who is still alive to confirm the same. The Chief Justice of Upper Canada, when he remanded Petitioner to prison, after

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sight of that and other affidavits, most assuredly sinned against knowledge,--judged contrary to evidence; and, on the Bench, when the Petitioner was tried before him, got out of the difficulty by telling the Jury that, "to be an inhabitant of Upper Canada, a person must occupy a house of his own in the Province"--a perversion which was happily reduced to an absurdity by Doctor Dunlop when debating the question before the House, in 1841. Monstrous to think, the Petitioner was banished, solely, on that perverted charge, while so weak with cruel treatment in prison as to be unable to protest against proceedings; and, now, after the clearest evidence of all this,--obtained by the Committee of the House,--even now, the Petitioner still rests under the ban of banishment; and, for twenty-seven years, has been out of possession of his property in England and Scotland, because of false imprisonments in Upper Canada;--aye, and after all, the writer of the Report of Council drivels about "commiseration," and says, that the Petitioner, "if he wishes it," may be "granted a pardon, now." Could anything, more insulting, be penned? The Petitioner is told that, he cannot again be heard by the House, unless he prays for compensation, in money. In reply, he has to say, that he never asked for money from the people of Upper Canada, or Canada. In no one of his Petitions was there a prayer for that. He sought only for evidence to be laid before the Imperial Parliament, and had the Assembly, in the year 1839, granted his prayer, he would have been satisfied;--so too, in the year 1841, had not the

Executive Council thrown a bar in his way. That year, the Petitioner addressed a letter to the Chairman of the Committee of the House, stating what he wanted, and concluding thus:--"The opinion of the House being expressed to the Governor, I could return to Britain, rejoin my family, and be, there, compensated." That the House did, in the year 1841, gratuitously recommend that, the Petitioner "should be compensated for losses; that, in the mean time, some allowance should be made to him, while defending the rights of a British subject;" and, in conclusion, suggested that, "What he did (for the Government) in the late rebellion, should neither be overlooked nor forgotten." With all this, the Petitioner was well pleased; and, doubtless, all would have been allowed, but for the Report of the Committee of the Executive Council. At present, in the opinion of the Petitioner, there is only one question for consideration, viz:--are the opinions expressed in the Report of the House, 1841, sound and true?--or, have they been proved to be otherwise, by the shewing of the Report of a Committee of the Executive Council? The Petitioner never had a doubt in his own mind that his imprisonment, in Niagara, in 1819, was, as the House declared "illegal, unconstitutional, and without the possibility of excuse or palliation." But, as a dispute subsists between the House and the Executive Council, he would have the final issue reached, in so very grave a matter, by the best means, and most constitutional steps. Sir Richard Jackson had, no doubt, forgotten his determination not to interfere in this business, as "being only in the temporary administration of the Government," and, afterwards, been imposed upon by the very specious language of the Report of the Committee of the Executive Council, when submitted for approval. The Governor General is now otherwise situated; and, it would be proper that His Excellency should review the whole facts, and arguments, on both sides. Many points remain to be noticed, which the limits of a Petition preclude; and the Petitioner would humbly suggest, that the House should appoint a Committee to prepare the whole to be laid, by Address, before His Excellency the Governor General. He now, therefore, entreats that he may be heard in person, or by Counsel, at the Bar of the House; or, before such a Committee.

Of the Reverend A. O. Giroux, and others, of Ste. Anne des Plaines; praying that the Registry Office at St. Louis de Terrebonne may remain there.

Of John Bellows and others, members of the Baptist Congregation at Barnston; praying that the Imperial Act for the disposal of the Clergy Reserve Lands may not be interfered with.

Petitions
Referred:--

P. Curodeau,
et al.

Ordered, That the Petition of Pierre Curodeau and others, Pilots for and below the Harbour of Quebec, be referred to the Select Committee to which was referred the Bill to amend and consolidate the Laws and Ordinances now in force relating to the powers and duties of the Corporation of the Trinity House of Quebec, to Pilots and Pilotage in the Port of Quebec, and to the Quebec decayed Pilot Fund, and for other purposes.

A. Campbell,

Ordered, That the Petition of Archibald Campbell,

et al. Esquire, and others, of the City of Quebec and its environs, be referred to the Select Committee to which was referred the Petition of Jean Baptiste Pagé and others, inhabitants of the Parish of L'Ancienne Lorette, and other references.

Election Law Bill, (L. C.) The Honourable Mr. LaFontaine, from the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to regulate Elections in Lower Canada, of Members of the Legislative Assembly, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Thursday next.

Port Burwell Harbour. Mr. Ermatinger, from the Select Committee to which was referred the Petition of James Hutchison and James F. M'Carthey, on behalf of a Public Meeting of the inhabitants of Bayham and other Townships, in the Districts of London, Oxford, and Talbot, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report. Your Committee have considered the several Petitions referred to them, and beg leave to report thereon as follows:--

That the Charter of the Harbour at Port Burwell has been surrendered to the Government, as will be seen by the Report of the President of the Board of Works (Appendix Q. 1843,) and that in the same Report the President stated "that the works for the alteration and improvement of the Harbour, as well as the Road leading to it, will be proceeded with as soon as possible," but that, notwithstanding, up to the present time, after a lapse of three years, nothing whatever has been done towards the improvement of the said Harbour, or the Road leading thereto.

It appears to your Committee, that the construction of a Harbour at Port Burwell is an object of paramount importance to a large portion of the inhabitants of the Districts of London, Talbot, and Brock, as being the only Port to which they can have resort, for the carrying on of a large and valuable trade in Lumber and other articles or commerce; that

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this trade is now only carried on at great expense, risk, and loss, to the inhabitants aforesaid; and that were a safe and commodious Harbour constructed at Port Burwell, the most eligible port for the formation of a good Harbour on the northern shores of Lake Erie, the Grand River excepted, the outlay would be more than compensated by the vast benefit which would accrue to the inhabitants aforesaid, and by the amount of tolls which would be collected thereat.

It has been represented to your Committee, by parties well acquainted with the locality of Port Burwell, that all the difficulties to be encountered in the construction thereof, a safe Harbour can be made for a sum not exceeding £7,500, an amount at one time estimated by the Board

of Works (Appendix Q. 1843,) although in his Report of last year the President estimated that a sum not less than £20,000 would be required, for reasons stated in the said Report. But your Committee are informed, that the ordinary depth of water at the mouth of Otter Creek, renders it much more susceptible of being made a good Harbour for a sum comparatively small, as compared with that which has been expended at Port Stanley.

Wherefore your Committee strongly recommend the prayer of the Petitions referred to them, touching the improvement of the Harbour at Port Burwell, and the Road leading thereto, to the favourable consideration of the Executive Government.

Contingencies. Mr. Roblin, from the Standing Committee on Contingencies, presented to the House the Second Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report. Your Committee have had before them the Account Current of the Clerk of your Honourable House, comprising the various sums placed in his hands, including the sum to the credit of the House at the last audit, (16th December, 1844,) the amount of Warrants from His Excellency, and the Fees received on Private Bills during the last Session, in the following order:--

Balance at last Audit	£ 1,464 2 7 ¹ / ₂	
Warrants	21,687 2 1 ¹ / ₂	
Fees on Private Bills	300 0 0	
		£23,451 4 8 ³ / ₄
Against which the Clerk has laid before your Committee Vouchers for the expenditure of		23,217 14 7
Leaving a balance in the hands of the Clerk, on the 1st April, 1846, the date of the Account Current, the sum of	£ 233 10 1 ³ / ₄	

Your Committee, having carefully examined into the different items of expenditure, are satisfied that the same are in accordance with the directions of your Honourable House, and that the Accounts are kept in a clear and satisfactory manner.

Your Committee have observed in the item of Warrants issued in favour of the Clerk, an amount of three thousand five hundred pounds, obtained by a letter of the Speaker of your Honourable House, (Sir Allan N. MacNab). Upon an enquiry by your Committee relative to this proceeding, it appears, by the communications laid before them, that, in consequence of the great length of the Recess, extending over a period of nearly twelve months, the funds in the hands of the Clerk were insufficient to carry out the orders of your Honourable House, and that, upon representation

thereof to the Speaker, Warrants were issued accordingly. Your Committee conceive that the necessity of the case has warranted this proceeding.

Robert Randall's Case.

Mr. Cummings, from the Select Committee to which was referred the Petition of J. H. Culp, of the Township of Stamford, in the District of Niagara, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee, having examined the said Petition, they find that the petitioner is administrator to the Estate of the late Robert Randall, of the Township of Stamford, Esquire, who for many years was a Representative of the County of Lincoln, in the Parliament of Upper Canada.

That, in the year 1827, he, the said Robert Randall, proceeded to England, being deputed by a large body of the inhabitants of Upper Canada to represent their interests connected with the Colony at that time, then under the consideration of the Imperial Government, which duty was performed to the entire satisfaction of the country.

That the said Robert Randall, in performing those services, was put to a great expense, as well as loss of time; and in order to remunerate him, your Committee find that the House of Assembly of Upper Canada, in the ninth Parliament, passed a Bill, granting to him, the said Robert Randall, the sum of five hundred pounds for his services, which Bill was rejected by the Legislative Council.

Another Bill was passed in 1829, in the tenth Parliament, granting him a like sum, which Bill shared the same fate in the Council; and again in 1830, a similar Bill was passed, but again rejected by the Legislative Council.

And further that, after the decease of the said Robert Randall, which took place on the second day of May, 1834, the subject of the claim as aforesaid, was again brought under the consideration of the Legislature of Upper Canada, in favor of the heirs of his estate, in the year 1836, when the Select Committee to which the Petition was referred, reported in favor of the claim being allowed, but such allowance was never carried into effect.

Your Committee, under these circumstances, which stand on record in the Journals of the Legislative Assembly of Upper Canada, as a pledge to remunerate the said Robert Randall, for services rendered the inhabitants of that Province, respectfully recommend that an humble Address be presented to His Excellency, the Governor General, that he would be pleased to take the case of the heirs of the said late Robert Randall, Esquire, into favourable consideration,--especially as a strong precedent occurred last Session in carrying out the pledge of the Legislative Assembly of Upper Canada, with reference to the claim of Colonel Fitzgibbon; and that a copy of this Report be transmitted with such Address.

MR. MERRITT¹. Pursuant to notice, Mr. Merritt introduced a series of resolutions² on the subject of agricultural protection³, on which he proposed to found an address to Her Majesty.... He said⁴, The resolutions

which will be submitted for the consideration of this House, are designed to counteract the effect which the recent change in the commercial policy of Britain is likely to produce⁵ on the Colony ... the importance of the interests at stake made this proceeding absolutely necessary.⁶ No subject of greater importance is likely to occupy the attention of the Legislative Assembly during the present Session; I trust therefore, the House will indulge me with more time than usual to bring the subject fully before them, particularly as no measure has yet been proposed to meet the altered circumstances of the country. It is true, the hon Inspector General has gained great applause, by his exposition of the finances and revenue. I feel much satisfaction in congratulating him on his promise of future usefulness, for few, with his Parliamentary experience, could have done so well;⁷ but ((he, Mr. Merritt)) regretted that that gentleman had not in his financial statement entered fully into the matter, as did the distinguished statesman at the head of Her Majesty's Government.⁸ I have been disappointed to find a measure, which above all others, most interests the inhabitants of Canada, wholly overlooked. A measure which brought forth one of the most able and powerful speeches ever produced by any statesman in any age, or in any country, in which every conflicting interest was fully canvassed and balanced against each other, and the advantages so clearly pointed out, that prejudice and interest gave way to reason (sic) and intelligence - a measures (sic) which occupied twelve successive nights debate although one, in which the agriculturalists of England can not feel a deeper interest than the agriculturalists of Canada. Except a war with the United States of America, no event could have created greater apprehension in the minds of the agricultural population of Upper Canada, than this unexpected change in the commercial policy of Great Britain; this apprehension arises from the fact, that since 1842, when wheat and flour was (sic) admitted at a nominal duty, in the ports of Britain, they have been in a state of unprecedented prosperity - their products yield a fair profit - a stimulus has been given to industry - the culture of wheat has been extended - capital freely invested, and property increased in value; they realize those advantages and feel content.

Ask any farmer to what cause he attributes this increased demand and price for wheat; his reply will be protection. Although in England a difference of opinion may exist between the landowner, farmer and labourer, on this subject, no difference of opinion exist here, the three are united in one. Notwithstanding this union of interest here among the population, there is a marked⁹ distinction between England and this Colony, that at home agriculture was represented in both branches of the Legislature; he would ask whether that was the case here.¹⁰ The agricultural interest predominates here, it finds scarcely an advocate; still, I can scarcely believe, there is a small number who will not admit that under the existing system, the agriculturalists in Canada owe the present prosperity wholly to protection.

I desire not to be misunderstood or misrepresented on this subject and do not allude to the alleged protection imposed by the colonial

duty on articles passing through our inland waters to distant markets. I allude to the protection they received in the markets of Britain - this protection will soon be withdrawn, what equivalent or what compensation is proposed to the agriculturalist in Canada in lieu thereof.

It is to me, unaccountable, to witness the apathy which prevails here on this subject. On the first announcement, in the part of the country I represent, an immediate change in the minds of all, was apparent:¹¹ the announcement of the proposed change was received with sorrow and alarm;¹² buildings were suspended and¹³ it had the immediate effect of reducing some descriptions of property fully one-half in value¹⁴, to an extent no other circumstance could have produced, and you may rely that all who hold a stake in the prosperity of Canada, are now looking to this Legislature for some remedy.

It is my intention to go back to the time when this change was first promulgated, and follow up every movement relating to it, that it may be fully understood. In the first place, what says Sir R. Peel:-

"I am not prepared to select that great interest, connected with the agriculture of this country, and call upon them to resign protection, unprepared at the same time to call on other protected interests to make the same sacrifice."

The protection withdrawn from the agricultural interests, was duty on cattle, provision, corn, other grain, and various other articles, and a greater reduction on wheat to cease in three years. The equivalents were:--

First - The removal of all duty on the raw material except Timber.

Second - Cotton manufactures, calico prints, now subject to a duty of 10 per cent - to be free.

Third - Cotton made up to protect the industry of the country, now 20 per cent - reduced to 10 per cent.

Fourth - Woolen and Linen goods made up, now 20 to 10.

Fifth - Metals - 15 to 10

Sixth - Brocade, earthenware, carriages, now 20 to 10.

Seventh - Silks - 30 to 15. Ten per cent to be the maximum.

He also makes other arrangements not affecting the interests of other parts of the community, but which will materially benefit that interest in whose welfare the country is so deeply interested - which are thus enumerated -

First - The greatest burden which is justly complained of by the agriculturists, is the rate levied on highways, which is reduced from 6d and 9d on the pound to 1½d and 3d.

Second - The law of settlement, which will relieve agriculture from an oppressive burden, besides injustice on the labouring man. (Amount of this reduction not stated)

Third - The encouragement of agricultural industry, by the Government loaning money on the security of land, for draining and improving the same, which will develope (sic) agricultural improvement throughout the country.

Fourth - Charges of expenses of prosecution now paid from local rates, to be borne altogether from the Treasury, estimated for England

and Ireland at £117,000.

Fifth - In Ireland the whole expense of the police force is borne by the land, hereafter by the treasury.

Sixth - One half of the medical relief sustained by poor laws by the treasury, in England and Scotland £115,000, and expense of prisons in Scotland £12,000.

Seventh - Education of youth in work-houses, estimated £30,000; poor law auditors £13,000.

On being asked what would be the whole amount of those various charges? He replied the estimate upon the consolidated fund was £530,000.

Then we have a clear practical and substantial equivalent for the agricultural interest, although it was considered inadequate and so admitted. The removal of import duties on the articles he requires for consumption, and the removal of taxes and other burdens from the land. It is to be regretted that the agricultural interest of Canada did not occupy some small portion of his comprehensive mind; if it had, all duties on their products at least, would have been repealed when admitted into the markets of Britain.

We also find in the speech of His Excellency, a most appropriate allusion to this important change, from which the country is led to believe, that the claim to protection is admitted, and will not be overlooked. A few days after we find in a dispatch from the Colonial Secretary, 3d March last, the policy which Her Majesty's Government recommended for the adoption of Provincial Legislature.

After an assurance that the interests of Canada have occupied the place to which they were justly entitled on this important subject, he states, "With regard to corn, I have much satisfaction in reflecting that if Canada will have to enter into competition with the Western States of America, and to engage in this rivalry, when no longer covered by any protective duty, at least she will not be called to make the effort without some advantages on her side, among which I view her light taxation."

It is by no means surprising that the Colonial Secretary should fall into this common error. It is but reasonable to suppose that a Government with a revenue exceeding £400,000 from imports, should be in a position to relieve its inhabitants from every other description of taxation;¹⁵ but so far from that being the case, he could state that the people of his district were taxed more heavily than their neighbours in the State of New York.¹⁶ Not only are the local taxes in Upper Canada higher than in the Western States, but they possess many other advantages which we do not. The¹⁷ Upper¹⁸ Canadian farmer is subject to high duties¹⁹ of 15 per cent²⁰ on all American manufactures, as well as on tea, coffee, and many foreign articles, from which the Western farmer is exempt.

It may be said as an offset, that the latter pays higher prices for wool, fine fabrics, and hardware, and those articles on which a high duty is imposed, for the support of their Federal Government, and for the protection of their manufactures; but whether it arises from an evasion of the duty, facilities in obtaining supplies, quick returns, small profits, or what ever cause, those articles are sold as cheap there as here, or so near it, that you cannot discover any material

difference. Of the truth of this, every merchant in Montreal must rest satisfied. What amount of British manufactures is consumed in Vermont, when no impediments exist in the navigation? The same result is experienced on the borders of the St. Lawrence, Niagara and Detroit Rivers, as every member in this House well knows.

Another advantage pointed out is "the assistance Canada has received from British credit, in the construction of internal communications, and the means of carriage without transhipments by the St Lawrence, which cannot be had by way of the Erie Canal."

From the same cause, the Colonial Secretary has fallen into the same error. Who could be made to believe at a distance that one of the most magnificent navigations that any country, either in Europe or America can boast of, should, through neglect or mismanagement, increase instead of cheapening transportation? Such, be it known, is at this moment the situation of the St. Lawrence Canal. The Colonial Secretary thinks the price of transit from Montreal to Britain will be as cheap as from New York. The same opinion is expressed by the Inspector General, although at this moment the charge on a barrel of flour is 4s 6d from the former and 2s 6d from the latter. It is supposed that the increased demand for American products in Britain will have a tendency to increase the price from N. York, and thus equalize freight; but is questionable whether the increase of shipping will not keep pace with this demand.

It is argued on the other hand by the Inspector General, that the greater the stocks at Quebec, the more vessels will come out, and thus cheapen the freight by competition. I coincide in the view taken by the Attorney General on this subject. Increase your import trade: this will give freights both ways, and lessen prices; but under any circumstances, I have my apprehensions the freights will not be reduced from this to Britain as low as from New York.

Let us now refer to the measures introduced by the Provincial Government. The first was a bill by the Attorney General, equalizing taxes in proportion to the value of land, still leaving the burden to be sustained by the Land---. The second, by the Inspector General, to impose a duty of 2d per gallon whiskey. This tax is also borne by the crown and placed on land. Its object is to relieve the several District Revenues from the expense of the Administration of Justice, and placing it on the Provincial Revenue. The effect is this. Instead of being taxed directly as usual in each district in Western Canada, and paying the money into the Treasury, the money will be paid into the Provincial Treasury and the tax paid out of the coarse grain in the same district -²¹ this measure would fall on the grower of the grain, and would not place, as it should do, the actual tax on the liquor.²² It is merely paying out of one pocket instead of the other. I should have been gratified to find some proposition for the reduction of internal taxes duties on imports, and the public expenditure worthy of notice - some measure to save our remaining public land, and creating a fund therefrom to educate the rising generation - some measure to relieve the burden on land and placed more equitably on other property or

some equivalent to the agricultural interest; and some measure or attempt to meet the great change to which the country must shortly be subject.²³ If they could not do it immediately, they would at least have given us some hope of its being done eventually.²⁴ The dispatch, praying for a removal of the 1s per qr duty on wheat, grain, pulse, &c, is well as far as it goes. It is to be regretted it did not extend to all products. The measure designed to benefit the mercantile, carrying and shipping interests, for the next three years, is the removal of the three shillings per qr on wheat passing through our states to distant countries, as will so soon become inoperative, it is to be regretted the act will not come into immediate operation.

The rapid increase and extent of the great western country has been well and truly described (sic) by the Inspector General; it is a prize worth contending for, and one which we can secure by adopting the proper remedy; but we have intelligent active rivals, who are not to be met by letting everything take its usual course, as heretofore. Sir, it is pleasing for me to witness the striking change which has come over the minds of those who formerly opposed the construction of the St Lawrence Canal; now but one feeling is entertained respecting it; on that work alone rests all your hopes of commanding this trade. What would have been your prospects if it had not been constructed on the enlarged scale, or had been suspended under Lord Sydenham's administration, and the remainder of four million and a half squandered away for what is called improvements without an expectation of any return whatever? In December last I endeavoured to draw the attention of the government and the public to this work by making a comparison of the charges made by forwarders on the Erie Canal from Buffalo to Albany, prior to July, 1845, on which a barrel of flour was conveyed 366 miles for 9d, when 1s 9d per brl was charged for 180 miles from Kingston to Montreal. (tolls not included on either.) The hon the Inspector General, on the true responsible system, turns those figures against me, says it would lead the public to believe the tolls were equal on both routes, thus increasing the price of freight on the St. Lawrence over the Erie Canal. Had he read that letter he would find it states that the government are not only deprived of all toll, but the means of raising a revenue - the forwarders descending the St. Lawrence without payment of toll, and ascending the Rideau, not leaving as much as would pay the lock tenders. I should not have alluded to this except for the purpose of repelling a charge which was not warranted. I am not surprised at the government expressing some feeling on this subject; because their inattention or neglect has subjected the entire commerce of Canada to a most oppressive and unnecessary tax during the coming season.

Sir, it is unnecessary to enter into any calculations to prove the St Lawrence will be a cheaper conveyance than by the Erie Canal, because²⁵ no dependence could be placed on the calculations that were put forth, no matter by whom they were compiled.²⁶ All those calculations depend upon circumstances beyond our control; for instance if you found your calculations on the Government of New York keeping up higher tolls, to pay the interest on their canal debt, you will find by the

comptrollers report of 1845, that the debt created for public improvements was \$34,239,035

In 1844 it was reduced to . . . 20,713,9 5

In 1846, on 1st January, to . . 17,216,119

While our canal debt is rapidly increasing, we will also find that in 1815, while the toll on the Erie Canal increased \$199,807, the toll on the Welland Canal, decreased about \$20,000. To what cause is this extraordinary result to be attributed? The Inspector General says, "to the fluctuation of trade," why has this trade fluctuated all one way, leaving the St. Lawrence and seeking the Hudson? He will find the true cause, to be a vigilant, intelligent personal superintendence (sic) on one part, and a total neglect, arising from an impracticable system of management of the other - the one lessening prices of Freight, the other increasing it.

Throughout the world, the prices of Freight are governed by one rule, - the larger the body of water, longer the voyage, & larger the canal, without transshipment, the cheaper the price of Freight, compare the dimensions of the navigation on the St. Lawrence, with the Erie Canal, with this rule, admit both works to reduce the toll to the lowest minimum, which will ultimately take place, and no person can doubt, which must prove, under equal management, the cheapest route.

The Inspector General, infers from the statement of prices of wheat on the Baltic, produced by Sir Robert Peel in 1842, when he first commenced reducing protecting duties, that the Canadian grower can successfully compete with the grower on the continent of Europe, against cheaper labor, and cheaper Freights. It appears, however, from the returns of exports of Breadstuffs from the United States, not over three per cent of the entire quantity reaches the markets of Britain; if these Statements be true, and Americans from their more southern ports cannot successfully compete with them, it is doubtful if the Canadian, from the more distant markets, with other impediments, can.

But admitting the Canada grower can successfully compete with the European, and that the markets of Britain, will ensure a fair price for wheat, he will still have to compete with the American grower, on his border; this is the only competition we have to fear, and no sound reason has been assigned, why the prices of produce will not be higher in the United States, than in Canada.

The recent letters published by Isaac Buchanan on this subject have been either passed over unnoticed or treated with ridicule²⁷ but he ((Mr. Merritt)) thought they rather merited careful consideration. Mr. Buchanan stated that the Americans had two markets, whilst the Canadians had but one; this was the fact, and serious attention should be paid to it.²⁸ He recommends obtaining free access for our products into the markets of the United States, because, in his judgment, ((the)) New York market, will offer a higher price than the English market: in this opinion, I fully concur, should the grower in Canada not obtain as high a price for his products, as the grower in the Western States. The consequences anticipated by Mr. B., are not to be disregarded, we only differ in the means to obtain access to the markets of the United States. Mr. B. recommends the imposition of high duties, to force them

to admit our products. This would be impracticable,²⁹ this would be the very way to prevent our getting into the American market³⁰, but by drawing their trade through our channels as long as we can, they will be introduced (sic) to remove restrictions to regain or increase their trade.

It requires no figures or calculations to prove which will be the best market. After 1848 the Western farmer will have access to two, the Canadian but one, assuming the limited demand for the Montreal market, will be governed wholly by the prices in England. This advantage will give the American miller and merchant, the entire command of the wheat trade (except for our limited consumption) in the Western States. What follows ? On the one side capital will be freely invested, and every description of property increased in value, while, on the other side, every thing will remain stationary, if not retrograding, and apathy and dissatisfaction will prevail. This is no experiment; the same result was witnessed in 1835, '36, and examine the Journals of Upper Canada during that period; you will find the efforts then made to obtain access to the markets of the United States. A petition, numerously signed, was forwarded to Congress, praying for admission of their products. The state of the markets, no doubt, was one of the ruling causes which led the inhabitants of Upper Canada to open rebellion, and a resort to arms in 1837.

If no remedy is provided, the same cause will again exist in 1849. Let us now apply our minds to the application of a remedy.

Can we adopt the American policy - encourage manufactures by protecting the Home market - to consume the products of our soil? No, we cannot. And why? First, an adverse interest would immediately arise between the Mother Country and the Colony; and secondly, the extent of boundary and facilities offered for smuggling, renders it impracticable.

Sir Robert Peel very justly observes, that high duties, called protection, is a false reliance, a delusion on the part of the labourer, and a clear loss to the revenue, both are robbed by the smuggler. Houses in Paris will guarantee the delivery of goods in London for 15 per cent - if with their numerous excise, coast guards, and cruisers goods can be smuggled there at 15 per cent, they can here for one-half, $7\frac{1}{2}$ per cent. No person can be induced to embark capital in manufactures in Canada, under the expectation, that any duty, however high it may appear will protect him from competition in the same article from the United States.

It is evident, Mr. Speaker, that if protection be withdrawn in the markets of Britain it is impracticable in Canada; we have no means of enforcing it; we are powerless. We have then but one other course open to us, that is the removal of all restrictions on commerce, the agricultural interest may then safely rely on the increase of that commerce to provide a corresponding advantage, and thereby ensure a home market for the productions of the soil - as well as obtaining every thing from consumers at the lowest prices. This policy fairly carried out will prove a sound a durable remedy, and will not only give an ample equivalent to the agriculturist of Canada, but place him in a far better position than the farmer in the Western States. To attain this end, it is proposed to submit the following resolutions:

Resolved, - That, in adopting the principle recommended in the Despatch of the Colonial Secretary of the 3d February last, in which we are assured "That it is the desire of Her Majesty's Government, that the Trade of Canada may, in all respects, approach as nearly to perfect freedom, as the descriptions of its inhabitants, and the exigencies of the public Revenue there, may permit," it is just and reasonable (sic) that every existing restriction (sic) on the Trade of Canada should be removed.

Resolved, - That under the existing Colonial Policy of Great Britain, this Province has undertaken the construction of Public Works of great magnitude, for which a large debt has been incurred, and its present agricultural prosperity is chiefly attributable to the protection its products have received since the reduction of duties on Wheat and Flour in 1843, in the markets of the Mother Country.

Resolved, - That, fully appreciating the advantages this Province ought to possess, over the Western States of America, inasmuch as the citizens of those States pay duties on imports for the support of the Federal Government of the United States, whilst the inhabitants of Canada are subject to similar duties for the support of the British Government, nevertheless, from our present fiscal system and other causes, existing restrictions on commerce, they are not realized and there is reason to apprehend the contemplated change, in the Commercial Policy of Great Britain, will confer still greater advantages on the citizens of the United States, than on the inhabitants of Canada.

Resolved, - That, inasmuch as it is proposed to relieve commerce and extend an equivalent to the agriculturalists, in Britain, by a reduction of Import Duties on all articles consumed, by removing various burdens on land and by providing for the encouragement of agricultural industry, by means of loans raised on the credit of Government to improve the same, the agriculturalists in Canada have reason to believe that Her Majesty's Government will speedily extend a similar equivalent to them for the protection about to be withdrawn.

Resolved, - That an humble Address be presented to Her Majesty, praying that she will be pleased to admit all articles, the growth and produce of Canada, into the markets of the Mother Country, free from duty; also, - That she will be pleased to recommend, to the Imperial Parliament, that all Imperial Acts relating to duties on the Imports, Revenue and Trade of Canada, may be repealed, and her commerce relieved from all restrictions except what may be imposed by the Provincial Legislature.

Also, - That Her Majesty may be pleased to open a negotiation with the Government of the United States for the purpose of obtaining access for the products of Canada into the Markets of that Country on the same terms that American products are to be admitted into the Markets of Britain and Canada. Also, that the River St. Lawrence from Lake Ontario to the Ocean, may be opened to all nations, subject to no greater restrictions than now exist in passing through the Welland Canal around the Falls of Niagara, in order that a revenue from Tolls may be ensured to repay the cost of the construction of the Canals connecting

those waters.

The first resolution requires no comment, the truth of the second will also be admitted. The third draws the attention of the Government of Great Britain, our Provincial Government, and the Country to a fact, which no quibbling, no sophistry, can controul, and no man can deny. The advantages we are entitled to, as a Colony, have never been fully realized. Never having been left to our own resources, the necessity for a rigid examination into our actual position never occurred; that time has now arrived when a thorough investigation cannot fail to prove beneficial, and give a proper and correct tone to public opinion.

Suppose a separation to take place, and this Province to be united with the American States, what advantages would we gain in revenue? We would, in the first place, not only be compelled to surrender all our public land, but become subject to a heavy duty on imports; for what? the protection of the Federal Government; and in addition we would have to support our Provincial Government, without the aid of either of those resources; whereas the Government of Great Britain extends that protection to us at this moment, without exacting our land, duty on imports, or any tax whatever, but merely for the extension of her trade and commerce.

To illustrate this contrast more fully and more strikingly, suppose the Government of Great Britain, had appointed her own officers of Customs collected all duties on the articles we consumed, and remitted the amount to her treasury; and supposing a despatch from the Colonial Secretary stating that Her Majesty's Government had withdrawn all protection in the markets on our products; but as an equivalent for the protection thus withdrawn, she had repealed all duties on our imports, withdrawn all her officers of Customs, and thus enabled our farmers to obtain every article they consume at the cheapest rate placing you not only in as favorable a position as the farmer in the Western States, but wholly relieving you from the tax they pay to their Federal Government, and a heavy responsibility rests on them, if they do not avail themselves of the opportunity; and in addition thereto, the Government of Great Britain will continue to perform the same duties as the Government of the United States, only for the benefit of your trade.

Would not the announcement of such a despatch, conferring so great a boon, make any farmer in Canada feel he had received a full compensation for the protection withdrawn. This can be brought about. It is in the power of the Provincial Government.

4. The advantages here referred to are more fully pointed out in my remarks on Sir R. Peel's speech.

5. This resolution is in accordance with the principle by which I have been governed for many years. Since the removal of all duties between this and the Mother Country in 1842, I have advocated placing discriminating duties on our imports from foreign ports, as an equivalent for the protection our products received in the markets of Britain. However, as it is but reasonable we should urge Her Majesty's Government to concede to the productions of Canada what she recommends the Home Government to concede to other countries. The principal articles will be butter, cheese, hops, &c.³¹, hops particularly, on which a

duty of £4 10s. per ton was levied---which were at present in effect prohibited.³² But it is not so much the amount of the duty as the extent of the trade on those articles for which we contend, as for the principle. When the Prime Minister declared as early as 1842 that Canada, for all purposes of trade, should be considered as if she were an integral part of the Empire, we should not in 1846 be placed on the same footing as foreigners.

6. This resolution prays for the repeal of all Imperial acts relating to the revenue or commerce of Canada, it does not include the navigation laws of Britain, because, as Colonists, they confer equal advantages on us; it applies particularly to the Imperial Act, 5th and 6th Victoria, cap 49, passed on July '42, for regulating the British possessions abroad: it will remove existing discriminating duties, and the bonding system which subjects all articles from foreign parts to an additional duty - which is directly contrary to the spirit and bearing of the late despatch, and the late commercial policy of Great Britain.

7. I am sensible, Mr. Speaker, that many men of sound judgment entertain the opinion, that if a free intercourse were opened with the United States, on the same terms as between the citizens of the different states that it would lead to a separation from the mother country - this opinion was expressed in the address of the North American Colonial Association in January last. They apprehended a change in the sentiments of the Colonist, if no preference in the markets of the mother country, in case they are offered a free interchange of commodities with the United States. I entertain the very opposite opinion. A change in the sentiments of the Colonist can only arise, in their being deprived of this free intercourse. In support of this opinion, which it is highly important to understand, I will assign the following reasons, a farmer values his market by comparative not remunerating prices--if equal on both sides of the boundary, and wheat came down to 2s 6d, he would rest satisfied, but not if he received 4s 4d and the American farmer 4s 6d per bushel. This inequality may not lead to the same result as in 1837, but it will produce a strong inclination to favor a part of the United States. This is no experiment. The same result was witnessed in 1835, '6 and '7. Examine the Journals of Upper Canada during that period; see the efforts made to obtain access to the markets of the United States. A petition, numerously signed in Canada, was forwarded to Congress praying for the admission of their products. There is no doubt this was one ruling cause or element which produced discontent and open revolt in 1837 in Upper Canada. On the contrary, were our products admitted into their markets, no difference in prices would be visible; the Canada farmer at all times would be placed on an equal footing, in all respects, with the Western farmer. This is all the favour he asks; still he will be placed on a much better footing in being relieved from the import duty to which they are subject and so far from feeling any desire to change his political institutions, he would realize the advantages he possessed, and resist any political change.

8. The learned Attorney General made a forcible remark the other evening - if the public works fail to pay the interest in the cost of

their construction, the Province is bankrupt. Feeling somewhat instrumental in urging on those works, and incurring this debt, I feel the more anxious to ensure the means of payment. Many apprehend that result, and think it both reasonable and just to apply to Her Majesty's Government to relinquish the amount of the million and a half debt, inasmuch as those works were commenced under the expectation that protection would be continued, and that its withdrawal has left us without the means of repaying the debt. This proposition could never, under any circumstances, be entertained, neither does any necessity exist for it; if vessels of all nations are admitted to pass the St. Lawrence on the same terms as the Welland, the tolls will be ample to meet the interest and liquidate the debt.

After obtaining all that the Government of Great Britain can grant, or all we ask for in this Address, much still remains to be done, to meet the altered circumstances in which the country will shortly be placed. Great responsibility rests with the Provincial Cabinet: they need be under no apprehension; their places are not coveted by others: no half and half measures will meet this crisis. If ever ability and attention was required, it is at this moment. Thereafter, Canada must rely on its own resources³³. The representatives of the people must insist on a retrenchment in every department of the public service.³⁴ Extravagance must be checked, economy practised, and the expenses of the Provincial Government reduced, and its resources now wasted and neglected, must be preserved and developed.

To accomplish this, an entire change in our whole financial system must be adopted - not by reducing the salaries of the working men - but by sweeping off entire departments; specific funds must be established, and the public accounts circulated for general information, so that every person may know from what source every description of revenue is received, and for what object it is expended.³⁵ He was perfectly satisfied that if this plan was followed out fairly, we had nothing to fear, but everything to hope for, in future.³⁶

Sir, I claim no originality for this suggestion - the plan is borrowed from the financial system adopted by the Government of the State of New York, where, for upwards of half a century, they have been left wholly to their own resources - where they derive no revenue from imports - where they have expended upwards of thirty millions of dollars - and where they are rapidly extinguishing their public debt, which is principally to be attributed to the rigid economy exercised by adhering to their specific fund system. Therefore, Sir, it is no experiment, it has been long practised, fully tested, and it is safe to follow any system of finance, from which such beneficial results have been realized.

The object I am desirous to attain by this change, is an immediate reduction of duties on imports and their ultimate revenue.

This may be considered chimerical, my reply is, that I have the best proof that it can be done, because it has been. There is no reason why the Provincial Government of Canada should not be supported, for the government of one million and a half, by the same means by which New York supports a Government over three millions.

It has been confidently asserted, that, in consequence of the States Governments being deprived of any aid from duties on Imports, their citizens pay higher local taxes. To assure myself of the fact, I have procured a comparative statement of the direct taxes paid in the County of Niagara, on the right bank of the Niagara river, and in the District of Niagara, on the left bank of the same. The former contained in 1843, a population of 31,114 souls - they paid a State tax of one mill on the dollar, interest on Canal debt, one half of which ceased under the operation of the specific fund system, this year - it then

amounted to	£1231	0	0
A County Tax	3933	0	0
A Town Tax	2222	0	0
In all	£7386	0	0

In the District of Niagara, Canada,

in same year, the population numbered 34,577 - the Provincial tax amounted to	£1819	0	0
The District Tax	7305	0	0
In all	£9194	0	0

It is well also to understand the practical operation of those funds. They pay a direct tax for that portion of their public debt. We pay an indirect tax for the same object. They receive a bonus from the proceeds of their public lands, equal to the amount of the tax paid for Common Schools, while we are doubly mixed for the same object - first, on the articles consumed from imports, and, secondly, a direct tax to the same amount. Thus, it will be seen, their direct taxes are not equal to ours.

It may be said their internal resources are greater: the following statement will give the best answer: - The Provincial Legislature have under their control, all the remaining waste lands of the Crown, valued by the Surveyor General at many millions, as heretofore shewn. Also, the timber therefrom, besides the power of creating a duty on imports - a resource which no State Government in the Union possesses - one which in a few years, with the aid of tolls will be found ample to defray all expenses of the Provincial Government, besides liquidating the public debt. In support of this opinion, take the entire receipts and expenditures of the Provincial revenue in 1844 - not having succeeded in obtaining a statement for 1845 - which gives the different sources from whence received and for what purposes applied.

Abstract Statement of the Revenue and Expenditure for the year 1844.

HEADS OF REVENUE	TOTALS			GENERAL TOTALS		
Duties						
from Commerce	£	s.	d.	£	s.	d.
1. Customs:						
Montreal & Quebec.	299,626	8	2			
Inland Ports	130,096	3	2½			

	£	s.	d.	£	s.	d.
				429,722	11	4 $\frac{1}{2}$
Internal Duty						
2. Excise	34,370	5	0			
3. Lighthouse or Tonnage Duty	604	4	10			
4. Bank Imposts	10,492	15	6			
5. Militia Commissions, Fines, &c.	48	15	0			
6. Seizures, (including Fines and Forfeitures)	3,214	18	10 $\frac{1}{2}$			
7. Interest on Public Deposits	1,430	6	5			
8. Casual Revenue	5,094	2	11 $\frac{1}{2}$			
				55,255	8	6
9. Public Works				25,624	11	1 $\frac{1}{2}$
10. Territorial Revenue				5,180	18	6 $\frac{1}{2}$
				Currency . .	£515,783	9 6

HEADS OF EXPENDITURE

GENERAL TOTALS

	£	s.	d.
1. Interest on Public Debt	122,790	11	6 $\frac{1}{2}$
Do on Turnpike Trusts,	851	1	2
2. Civil Government	28,331	5	4
3. Administration of Justice	56,561	18	4
4. Provincial Penitentiary	10,901	18	4
5. Legislature	25,596	0	9
6. Education	66,349	17	7
7. Agricultural Societies,	3,349	15	6
8. Hospitals and Public Institutions	7,983	12	1
9. Public Works and Surveys	7,043	13	8
10. Militia	2,004	1	8
11. Maintenance of Lighthouses	5,160	0	11
12. Emigration	5,240	9	8
13. Pensions	12,354	0	7
14. Miscellaneous	27,162	16	0
	£382,181	12	7 $\frac{1}{2}$

Add, Warrants outstanding on

Account of 1843, paid in 1844	4,378	13	4
Balance carried to Unfunded Debt	3,926	18	11 $\frac{1}{4}$

Sinking Fund New Account			
Saving in Sche-			
dule B	£5,636	15	8
Less, Excess in Sche-			
dule H	2,101	7	0
		3,535	12 8
		£448,091	6 11 $\frac{1}{4}$
No. 13 - <u>Add</u> , Excess of Reve-			
nue over Expenditure		67,692	2 6 $\frac{1}{4}$
		£515,783	9 6

The above source of Revenue to be transferred to the following Specific Funds as enumerated:

RECEIPTS.

- Nos. 1, 4, 5, 6, 8, To constitute the Provincial Fund.
 2, To be transferred to the different Districts
 for purpose of sustaining the expense of
 Administration of Justice.
 3, To be increased to keep up those Lights in the
 most effectual manner.
 7 and 9, To form a part of the Canal Fund.
 10, To form a Common School Fund.

EXPENDITURE.

- Nos. 2, 3, 4, 5, 10, 13, 14, To be the Provincial
 Fund.
 1, 9, To Canal Fund.
 6, 7, To Common School Fund.
 8, To Districts or places where situated.
 11, To be sustained wholly from this Fund.

All balances to make up the total amount of £448,091 6s. 11d. to be carried to the Canal Fund. By transferring the different sources of revenue for the payment of the different objects as pointed out, specific funds may be established without inconvenience. The first fund, called in New York a general fund, may be named a Provincial fund.

Estimated Provincial Fund in 1850.

RECEIPTS.

No. 1 - DUTIES ON IMPORTS.			
500,000 gallons			
Wine, at 1s	£25000	0	0
500,000 gallons			
Spirits, at 5d	12500	0	0
200,000 gallons			
Whiskey, at 3d	2500	0	0
Amount of imports, £4,000,000			
at 2 $\frac{1}{2}$ per c.	100,000	0	0

£140,000 0 0

No. 2 - INTERNAL RESOURCES.			
Auction Duties	£20000	0	0
Casual Revenue, Licenses, Fines, &c.&c.	5000	0	0
Law Fees	20000	0	0
Bank Issues	15000	0	0
<hr/>			
		£ 60000	0 0
		<hr/>	
		£200000	0 0
EXPENDITURES.			
No. 1 - Civil Government . . .	25000	0	0
No. 2 - Administration of Justice	25000	0	0
No. 3 - Pensions	12354	0	0
No. 4 - Legislation	25596	0	0
No. 5 - Provinc'l Penitentiary	10901	0	0
No. 6 - Miscellaneous	21149	0	0
Excess	80000	0	0
<hr/>			
		£200000	0 0

In all other countries the Revenue on Imports, on Commerce, is set apart for the protection of that Commerce, maintenance of an Army, and other expenses incident to an independent Government. As Great Britain sustains this expense, it is clear, that, by ordinary economy, with the resources at command this Revenue may be dispensed with.

To abolish it at once would be impracticable, but the public mind should be prepared for that result. It may be commenced gradually after the present Session; in 1847 reduced to 5 per cent, in 1843, when all protection on the Produce of Canada ceases, to 2½ per cent, in 1849 the effect of a diminution of Revenue and increase of Tolls on our Canals will be tested, and they may then either be continued or wholly removed.

The old system of paying Collectors by a percentage on the amount received should be revived, and all Duties on the importation of Timber repealed.

The quantity of Wine and Spirits is based on the statement of the Inspector General; there was imported in 1844, 392,279 of the Wine, and 475,608 of the Spirits; the amount of Whiskey is quite uncertain; the imports of Dry Goods paying an ad valorem Duty was in 1845 from sea, £2,598,282 - if the same proportion was imported into Upper Canada as the relative amount of Revenue it would equal £3,897,426, but it is fair to assume by a reduction of duty, of transportation, and increase of population, that the Trade will increase in a corresponding ratio.

The Auction Duties in 1845 were £8012. The increase is based on the relative population and amount received in New York; this Duty is collected in the best and most economical method.

Fees on Law Costs - In 1835, the amount paid for Administration of Justice in Upper Canada, out of the Provincial Funds, was about £3,800, - now for both Provinces £56,561; formerly the Judges and Officers were paid by Fees - now Salaries. In New York a similar Fund pays nearly the entire expense, and no good reason can be shown why litigants should not pay this expense, and relieve the public from this unnecessary Tax.

With regard to the general Expenditure, the altered circumstances of the country will admit of a great reduction as he will obtain what he requires at a cheaper rate. All Departments connected with the Receipt and Expenditure of the Public Monies, except the Inspector General and Receiver General or Treasurer, should be dispensed with at the Seat of Government; and in outward Districts for the collection of all monies, lands or any other purposes except a Deputy Inspector and Treasurer as at present. The whole amount of Provincial Taxes collected in the outward Districts, which in 1845 amounted to £32,496, should be given up to enable the Districts to sustain the expense of Local Offices for the Administration (sic) of Justice, building and repairing Court Houses, &c., &c., &c. It is unnecessary to enter into details; the principle by which Salaries should be governed is the only rule - £5,000 should be the maximum for Governor; no individual should receive over £1,000 and in no instance should two Offices be created when the duties of both could be performed by one person.

All balances for or against other funds to be charged or credited to this, until increased in the case of the School, or diminished as in the Canal fund, from the sources applied to them, to any amount the public good may require.

The Canal fund explains the object for which it is intended.

Estimated Canal Fund in 1850.

Provincial Debt estimated at £4,000,000,	
5 per cent interest	£200,000
Sinking Fund	50,000
	<hr/>
	£250,000
Tolls on our leading Canals	£250,000
Yearly Income from the sale of Public Works.	
Tolls on Railroads not exceeding 5s. per ton.	
	<hr/>
	£250,000

This should be the most important Fund in the Province, it should be managed by a Board of Works, or a Board of Commissioners, precisely on the same plan as in the State of New York, where the system first originated, where it has continued, and from experience, and the actual result, has been found eminently successful; it is merely combining three practical men, exercising a personal supervision of the Works, with the Financial Departments of the State. So general is the prevailing opinion that the Revenues from the Erie Canal alone, will ultimately liquidate the entire debt of the State, that any amount of money can be borrowed at the lowest rates of interest on the security

of the surplus Revenue of those Canals.

The total Tonnage of Property, value and amount of Toll was -		
In 1840 - 1,416,046	\$66,303,892	\$1,733,747
In 1845 - <u>1,935,011</u>	<u>100,953,245</u>	<u>2,646,181</u>
Increase. 568,965	\$34,649,353	\$1,112,434

The increase in 1845 exceeded that of 1844 by 77 per cent down, and 25 per cent up; and in proof of the perfection of the system of accountability and collection, out of \$30,900,904 collected, there has not been a defalcation or delay of a single week in making the returns.

The estimate of Tolls is based upon the successful competition of our communications in securing a fair share of the Western Trade, by removing every restriction on Commerce repealing all Customs Duties, and opening the St. Lawrence Canal; this object accomplished, no other Revenue will be required in Canada, to pay the expences of the Government, and the Provincial debt; your machinery for collection would be simple and economical; Foreigners would cheerfully contribute to this revenue in payment of tolls, and you would be relieved of the expense of your Excise and Custom Establishment, now exceeding £30,000, nearly equal to the payment of the interest on one quarter of the Public Debt; it may be said that by collecting a revenue from the Toll, instead of duties on imports you tax the Export Trade - this is to a certain extent true, but the answer is this - you require a great additional Import Trade, which will lessen the price of outward Freight, more than the additional Toll imposed - suppose we command one-half the Tonnage now passing from the Western States, over the Erie Canal, say 1,000,000 Tons, at 5s. Toll throughout, we have the amount required £250,000, without Toll on Lumber; and I feel positive Tolls will be paid on every stick of Timber brought into vessels from any port of Lake Ontario to Quebec.

Suppose a Toll of 3s. 6d. below Montreal, 5s. on the St. Lawrence, and 5s. on the Welland, in lieu of all Duties and restrictions whatever, and command one quarter the Trade of the Erie Canal - 500,000 Tons at 12s. 6d., it would yield £312,500.

One of the best effects in creating this fund will be, to remove the existing feeling on the subject of this debt, Lower Canadians believe it was created for the benefit of the Upper Province, and that the inhabitants of the Lower must ultimately pay their proportion. Should the tolls meet the payment, as contemplated, the grower and consumer above will sustain the entire burden, which is just, as he receives the benefit of its construction, and remove all cause of complaint.

All Rail-roads should be subject to a toll on transit, not exceeding 5s. per ton, as an equivalent for the increased trade which will be created by the removal of Customs Duties, and the competition they create with the Public Works, until the debt is paid. In New York they pay full toll, and are prohibited from conveying freight during the navigable period of the season. The cost of Public Works are

named in Public Accounts at £3,495,409, the Welland and St. Lawrence, about £1,602,139. Suppose £893,270 to have been spent without any return, it will still leave about £1,000,000 of public property, this may be disposed of to the different District Councils, or to Individual Companies, the income from which is not estimated and from its uncertainty, is with Rail-road tolls, designed to be paid into the Sinking Fund, in reduction of the debt.

With regard to the Provincial Debt,
 there has been loaned in England,
 at 4 per cent, £1,842,401
 In Canada, at from 5 to 6
 per cent interest . . . £1,429,502
 It is proposed to negotiate
 (sic) another Loan of 728,097

2,157,599

In all £4,000,000

This Loan should be appropriated to finish the Public Works on one great leading communication in the most perfect manner, without which they are useless - to assume the Loan for Rebellion Claims, so as to restore the License Tavern (sic) to the different Districts, and enable the Government to negotiate (sic) a further Loan on the credit of the Mother Country, at 4 per cent for the debt of 5 and 6 per cent, as it becomes due or can be purchased up, - also to make any deficiency in the payment of interest to this Fund for the next five years.

Also the perpetual School fund, which in its ultimate consequences will be found the most beneficial.

Estimated Common School Fund in 1850.

EXPENDITURE.

Annual Grant for Common Schools, 4th
 and 5th Vict £50,000
 Annuity to be paid Indians 6,500
 Agricultural Societies 3,500
 Balance for Contingencies 13,500
 Balance 22,866

£73,500

INCOME.

Annual Income from the Public Domain - see Report
 on Lands (1844) £13,500
 From Timber 46,500

Proceeds of 1,000,000 acres sur-
 veyed land at 5s. £250,000
 Do 3,000,000 unsur-
 veyed do do 750,000

£1,000,000 at 6 per cent 60,000

£120,000

It appears from the Returns of the Surveyor General attached to the Report of a Committee of the Legislative Assembly, 7th March, 1845, the Revenues after deducting what is due for Scrip

In U.C. Surveyed Lands	1,400,000	Acres
In L.C. Surveyed Lands	4,314,707	"
In U. do Unsurveyed do	13,592,220	"
in L. do do do	15,205,000	"

33,557,007 " (sic)

Values at 2s. to 8s. per acre, the aggregate amount is £4,832,118, which if sold would yield an income of £259,927; the Territorial Revenue is estimated at £13,500, and the Jesuits' Estates for 1844, in Lower Canada, at £5,663. The receipts for Territorial Revenue in 1844 was £5,057, in 1845 £7,453, which gives a promise of increase. There is also appropriated for the support of the Clergy, 2,407,687 acres; Toronto University 546,861 acres; District Grammar Schools 258,330 acres.

From the above it is apparent that ample provision is made for all higher branches of Literature, and no time should be lost in fulfilling the provisions of second Section 4th and 5th Victoria, to appropriate those Lands for general Education.

To effect which and create this Fund, all Scrip should be called in, and all claims, on or before the 1st January, 1847 (sic) or '48, when the present system may be dispensed with.

A more efficient Board or Department may be substituted, consisting of a Surveyor General, Register, &c., the expense of which may be sustained out of $2\frac{1}{2}$ per cent. of the sale of Clergy, Grammar Schools and all Public Lands.

The Deputy Inspector in each District, appointed Agent, the expense not exceeding $2\frac{1}{2}$ per cent. to be sustained from the sales, leaving 95 per cent to apply to the credit of each Fund; which from its economical arrangement should be satisfactory to the Clergy as well as to others interested.

In 1844, nothing was carried to the credits of the Public Revenue from Timber; but in 1845 £22,871 5s. 10d. was received from that source, as inexhausted supplies of the best Red Pine in the world is reported on the Ottawa, this Fund must increase if attended to and the small Timber preserved.

The sales of Land in 1845, appears to be £72,775 and including Timber £106,431 7s. 0d., the whole of which has been absorbed in deductions for management and scrip, except £529 2s. 1d., this is besides the expense charged to the Clergy and Indian Funds.

Providing the Timber Sales and grant of the Public Domain will not meet the annual appropriation, Provincial Debentures may be issued at 6 per cent., payable in ten years, when the interest on sales will meet the outlay, and pay the principal of the debt created.

As soon as the Sales will meet the expenditure, Loans to cease, and

a Fund set apart to meet them as they become due. Who can estimate the value of this Fund or its results? By providing the means of information, by establishing Libraries in each Township, diffusing general intelligence, and promoting the interest of Agriculture, both in theory and practice.

In 1805 the first appropriation was made in New York of 500,000 acres, in 1823 all Lands were appropriated for Education and income therefrom; in 1845 by aid of their Deposit Fund arising from their proportion of United States Lands, they have accumulated a capital of \$6,374,143; and an Annual Revenue for Colleges, Academies, and Normal

Schools of	\$149,443
Common Schools	294,453

\$472,896 (sic)

By the same economy and attention we can create from the same source double the amount.

You will find, Mr. Speaker, in this plan and arrangement, nothing complicated - nothing unreasonable. In the first place, we simply ask the Mother Country to concede four specific objects. First, the free admission of all the products of Canada into her ports. Second, the repeal of all Imperial Acts which restrict the free operation of our trade. Third, to obtain, by negotiation (sic), the free admission of our products into the markets of the United States. Fourth, opening of free navigation of the St. Lawrence. This, I admit, when brought into operation, will afford but a partial relief, unless met in the same spirit by our Provincial Government. In order to be fully prepared to meet the crisis, we propose an ample equivalent to the agriculturalist for the protection withdrawn by general reduction, and ultimate removal of all duties on every article he consumes, by the adoption of this Colonial policy. Her Majesty's Government will receive an ample equivalent for her outlay, by the extension of her trade; her exports and our imports will confer mutual advantages on her subjects in both Britain and Canada. The Western States will be supplied through our channels with her fabrics. We also shew by estimating the revenue and expenditure, in 1850, that under prudent management, no apprehension of direct taxation need be apprehended.

With those resources at command, why should we not avail ourselves of the accidental and natural advantages we possess, and promptly follow this great movement, which, happily, has been introduced under the sanction of the most eminent statesman, in the greatest nation of the present day. The attainment of this principle will be far more glorious than any victory yet achieved; it will deprive all Governments of the means devised by cunning and artful statesmen, to delude the ignorant, indirect taxation, it will check extravagance, ensure economy, and prove one of the leading elements, under providence, to establish and preserve peace throughout the world. Sir, I will not venture to estimate the saving in the expenditure of Government, or the wealth and prosperity which it will ensure to Canada, the public mind is not yet prepared for this high state of civilization, but the time is rapidly ap-

proaching, when it will be well understood, it may not be attained as early as 1850 - but if spared to the ordinary age of man, I will have the satisfaction to see it carried into practical operation.³⁷ Mr. M. said, on resuming his seat, that he would let the resolutions lie on the table, to be taken into consideration on Thursday.³⁸

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On motion of Mr. Merritt, seconded by Mr. Roblin,

Trade. Resolved, That this House will, on Thursday next, resolve itself into a Committee of the whole House, to consider certain Resolutions to be proposed on the subject of Trade, with a view to adopt an humble Address to Her Majesty, relative thereto.

Printed. Ordered, That the Report of the Select Committee, to which was referred the Petition of Robert H. Bruce, Esquire, and others, inhabitants residing on the Grand River, in the County of Haldimand, be printed for the use of the Members of this House.

Documents. The Honourable Mr. Attorney General Draper laid before the House, by command of His Excellency, the Governor General, copies of certain Documents on the subjects of the Post Office Department and the protection of the Copyright on books; which Documents are as followeth:

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Post-Office
Department.

Copy.

FREDERICTON, N.B.

20th April, 1846.

MY LORD,

I do myself the honour of enclosing to Your Lordship copy of an Address to me from the House of Assembly of this Province with a joint Address from the Legislative Council and Assembly to the Queen on the subject of the Post-Office Department, and which I have been requested to transmit with the view of inviting the support and co-operation of the Canadian Legislature in obtaining through Her Majesty's Government, increased facilities in the Post communications of the Provinces, - a reduction of the postage, and the introduction of an uniform rate.

I enclose also copies of Despatches addressed by me to the Secretary of State on the subject of the Post-Office and Copyright Acts--and if the system established in the United Kingdom could be introduced, with a reduction of rates on pre-payment, and the use of stamps, the Assemblies guaranteeing any deficiency in the actual expenses of the Department, and also a relaxation of the Copyright Acts as affecting these Provinces, I should consider that a signal benefit would be conferred upon them, and one which it would impolitic to withhold when the like facilities are so extensively enjoyed in the neighbouring States of the Union.

I have, &c.,

(Signed,)

W. M. G. COLLEBROOKE.

His Excellency the Right Honourable
The Earl CATHCART, K. C. B.,
&c. &c. &c.

Copy.

New Brunswick, House of Assembly,
13th April, 1846.

Resolved, That an humble Address be presented to His Excellency, the Lieutenant Governor, together with a copy of the joint Address of the two Houses of last Session to Her Majesty on the subject of the Post-Office Department, and praying His Excellency to transmit the same to His Lordship, the Governor General, in order that the same may be brought under the consideration of the Canadian Legislature.

(Signed,)

CHAS. P. WETMORE,

Clerk.

Copy.

To the Queen's Most Excellent Majesty.

The joint and humble Address of Her Majesty's Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly convened.

MAY IT PLEASE YOUR MAJESTY,

We, the Legislative Council and Assembly of New Brunswick, in Provincial Parliament assembled, beg leave to approach Your Majesty with feelings of the most devoted attachment to Your Majesty's Person and Government.

The object of this our humble and dutiful Address, is to bring under Your Majesty's Most Gracious consideration, the present inefficient and unsatisfactory state of the Post-Office Department in this Province, with a view to obtain such improvements as may be practicable in its future management.

We regret to inform Your Majesty that very general dissatisfaction exists throughout the Province with regard to this Department, as well on account of the high rates of Postage established by the Treasury Warrant of October, 1843, as from the recent increase of the expenses of management, and the diminished accommodation latterly afforded to the people of the Province.

By the Accounts of Income and Expenditure laid before the Assembly in 1844, it appears that the amount of Salaries for the two years ending 5th January, 1843, was as follows:--

For the year ending 5th January, 1842, £1211 15 7

For the year ending 5th January, 1843, £1289 1 6

And by the Return laid before the Assembly at the present Session, it is shewn that the amount of Salaries for the year ending 5th January last, was £2580 13s. 8d., from which it will manifestly appear to Your Majesty that, under the system introduced in July, 1843, the salaries and allowances to Officers have more than doubled; and when we inform

Your Majesty that the number of Mails has, during the same time, been materially reduced, and the postages in several instances increased, Your Majesty will, we humbly conceive, graciously admit that we have abundant cause to complain of the present management of the Department in this Province.

By the recent abandonment of some of the Lines, many of the oldest and most cultivated Districts of the Province are now left without any Post-Office accommodation; and for the purpose of affording partial relief to those and other Districts, we have, during the present Session, appropriated upwards of £600 towards the support of sixteen additional Couriers and Packets in various parts of the Province for the present year.

Whether any surplus Revenue has been collected since the half year ending the 5th July, 1843, we are not informed; but by the Returns laid before the Assembly at the last Session, it appeared that there was a surplus on the two and a half years ending July, 1843, of £4856, and we humbly submit to Your Majesty, that such surplus as may from time to time accrue should not be expended out of the Province, but applied towards the establishment of additional Lines of Post communication.

The present high rates of letter postage, and the tax upon printed papers, are considered so onerous, that not only is a large amount of correspondence altogether prevented, but every opportunity by private conveyance is resorted to; and thus is the Law habitually and generally violated, and that with impunity; and we are therefore unanimously of opinion, that if the charge on printed papers were abolished, and the letter postage reduced one half, the income of the Department would, in a short time, be much larger than at present.

The Provincial Legislature, during the last two years, have expended over £145,000 on the Great Roads of communication within the Province, which has contributed very materially to reduce the rates of contract for Mail carriage, and it is therefore more unsatisfactory to the Provincial public, that less accommodation should be now afforded by the Department than in former years; and the general dissatisfaction is much increased by the fact, that the reduction of public accommodation has been accompanied by a concurrent increase of salaries; and we humbly represent to Your Majesty, that a much larger amount of Revenue is absorbed by the salaries of the present officers, than is required for the efficient management of the Department.

The policy of Your Majesty's Government in reducing the rates of postage in the Mother Country has recently been adopted in the United States. By an enactment of Congress the rates of postage in that country have been reduced on single letters not exceeding half an ounce, to five and ten cents, as the distance may be under or over three hundred miles, to take effect from the first day of July next; and as we are deeply impressed with the importance of extending the advantages of Post communications throughout the remotest settlements of this Province, we respectfully submit, that a very considerable reduction of

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rates, and the establishment of additional Lines, are absolutely nec-

essary for the beneficial attainment of this desirable end.

Admitting the absolute necessity of preserving the Metropolitan control of the Department, we do not venture to ask for a transfer of such control to the Provincial Government, but we humbly and earnestly submit the following propositions for Your Majesty's Most Gracious consideration:--

1st. That the rates of Provincial Postage be reduced on Letters not exceeding half an ounce to a maximum of sixpence, and a minimum of twopence, according to the distance.

2nd. That the postage on printed votes and newspapers be abolished.

3rd. That the Deputy Postmaster General of the Province, shall, from time to time, under the direction of the Postmaster General, establish such additional lines of communication as may be suggested by the Provincial Legislature.

4th. That a full and particular account of income and expenditure be annually laid before the Legislature by the Deputy Postmaster General.

5th. That any surplus Revenue collected within the Province, after appropriating such sums as may be required to keep up the proportions of the great lines of communication between Nova Scotia and Canada, and between Nova Scotia and the United States, which lie within this Province, and to maintain an efficient establishment here, may be applied in extending the facilities of inter-Provincial communication.

6th. That in consideration of the foregoing propositions being acceded to by Your Majesty, the Legislature of this Province should guarantee by Legislative enactment, for a term of years, such additional sum of money as may from time to time be required to defray the current charges of the Department.

We, therefore, in behalf of Your Majesty's loyal subjects, the inhabitants of this Province, confidently submit this our humble and dutiful Address to Your Majesty's gracious consideration; and we earnestly and respectfully pray Your Majesty to grant such relief in the premises as the exigency of the case may require, and as to Your Majesty may seem meet.

And as in duty bound will ever pray.

(Signed,)

WILLIAM BLACK,

President Legislative Council.

(")

J. W. WELDON,

Speaker House of Assembly.

NEW BRUNSWICK,

House of Assembly,

13th April, 1846.

I certify this a true copy of the Joint Address of the Legislative Council and Assembly upon the subject of the Post Office Department, adopted at the last Session of the Legislature.

(Signed,)

CHAS. P. WETMORE,

Clerk of Assembly.

(Copy.)

No. 69.

FREDERICTON, N. B.

28th July, 1845.

MY LORD,

I have had the honour to receive your Lordship's Despatch, No. 304, dated the 28th June last, with copies of correspondence relative to the illegal conveyance of letters by the steam vessels in the Bay of Fundy, and the River St. John, and directing me to furnish your Lordship with a Report and suggestions for your information on the subject.

In my Despatch to your Lordship, No. 27, of the 26th of April last, I transmitted a Joint Address to Her Majesty from the Legislative Council and Assembly, containing various proposals for remedying the inconvenience so generally complained of in the Province from the operation of the laws relating to the Post Office, and in reference to the proposal to enforce the provisions of the Acts of Parliament 1 Vict. caps. 33 and 36, I cannot but consider that it would be highly objectionable to do so without taking into consideration the situation of the Province and remedying the inconvenience so long and so generally complained of.

Although the correspondence carried on through St. John, by the steamers plying the river and in the Bay of Fundy is more considerable than in other quarters, there can be no doubt that the evasion of the laws is general throughout the Province, and that it prevails not only during the summer months while the navigation is open, but also throughout the winter by the facilities of land travelling.

In the Address of the Legislative Bodies, your Lordship will observe it noticed that the rates of postage in the United States have been reduced, and they recommend a reduction of the Provincial rates on letters not exceeding half an ounce, to a maximum of sixpence, and a minimum of two pence according to distance. As the effect of these rates would be to impose the lowest rates on correspondence with St. John and Fredericton, where the greatest number of letters are received, and the highest on the remote settlements, where they are few in number and the people can less afford to defray them, I am induced to prefer an uniform rate of three pence on all letters throughout the Province. According to the American rates, five cents, or twopence half-penny nearly, is the uniform charge of postage on letters weighing half an ounce, for all distances under three hundred miles corresponding nearly with the extreme limits of the Post Office routes in New Brunswick. The distance from St. John to the Restigouche, by the northern route, being 202 miles, and from St. John to Temiscouata on the north western frontier, 263 miles. By establishing such a rate on letters, I entertain no doubt that the disposition to evade the laws would be arrested and their enforcement generally approved wherever the means of conveying letters through the Post Office might be afforded, and to facilitate the establishment of additional lines of communication, the Houses in their Address have pledged themselves on the adoption of the proposals to guarantee by Legislative enactment for a term of years such a sum as would defray the current expenses of the Department.

In strongly recommending that Her Majesty's Government should

accede to their proposal, on agreement of the Houses to a reduced and uniform rate as I have suggested, I should anticipate that on its adoption the complaints of the people and the difficulties experienced in enforcing the Post Office laws, would at once be removed, and recurring to the correspondence in 1843, above referred to on the subject of the Copy Right Acts which are equally evaded, I would recommend in accordance with my suggestions that those Acts should also be subject to revision.

I have, &c.

(Signed,) W. M. G. COLEBROOKE.

The Right Honourable
LORD STANLEY,
&c., &c., &c.

Copyrights. (Copy.)
No. 70.

FREDERICTON, N. B.
20th July, 1843.

MY LORD,

A sensation having been produced in the Province by the recent enforcement of the provisions of the Acts of Parliament, (5 and 6 Victoria, Cap. 45, 47, and 49,) for the protection of the Copy right on Books, I am prompted to explain to your Lordship the situation in which

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these communities are placed by the restrictions which are thus imposed on the introduction of English Books reprinted in America; and on certain newspapers, through the medium of which they have heretofore obtained circulation, by what is called the privilege of the Deputy Post-Master General who at his discretion has dispensed with the law for imposing of them full letter rates of postage.

In the Report of the Commissioners of Post-office enquiry in Canada, it was observed that no printed matter coming from England, except stamped newspapers, could pass through the post, unless charged by weight at the rates of letters exceeding an ounce, which in the case of English Reviews, Magazines, and Pamphlets, acted as a complete prohibition, and that the American reprints of Miscellanies, under the privilege referred to, had obtained an extensive circulation.

The limited means and opportunities of acquiring books has led in these Provinces as well as in the United States, to the publication of a great number of cheap newspapers, containing with the usual matter of advertizements, correspondence, and extracts from English and American Journals, selections from Books and Miscellanies. These selections which are for the most part taken from the lighter productions of the English and American presses, are generally unexceptionable, and tend to encourage a taste for reading amongst those who have no access to Books, and are cut off from social intercourse of an improving nature.

Some publishers in the United States, taking advantage of the increasing demand for publications of this nature, have undertaken the republication of entire works in consecutive numbers, or in extra

sheets, and as examples of the works thus circulated in the Provinces, as well as in the United States, may be mentioned:--Allison's History of Europe, Liebig's Animal and Agricultural Chemistry, Arnold's Lectures on Modern History, Borrow's Bible in Spain, &c.; and it may be remarked, that the papers which are engaged in these republications, and depending on support in the Provinces, have taken no part in the acrimonious discussions which often pervade the political Journals in the United States. The claim to protection of the English Publishers, being the ground on which the circulation of these papers has been suddenly arrested by the charge of letter postage, and by the seizure of the "extras," the public attention has been drawn to the high price of English Books, which has operated so entirely to prevent their circulation in these Provinces.

The encouragement derived in the United Kingdom from the numerous Libraries, Clubs, and Societies, which are supplied with copies of books as they issue from the Press, and to whom the price of a book is less an object than the early supply of new works to their numerous subscribers and readers, renders it practicable in most cases for an English publisher to attach such a price to a book which would command any sale in the Colonies as nearly to remunerate him from this source alone, independently of the demand from individual purchasers, according to the merit or interest of the work.

The increasing demand of a more numerous and less affluent class of readers has led to some reduction in the price of works, by their publication in less expensive forms, but the price even of these books, enhanced by the charges attending their transmission, exclude them from circulation in the Colonies, especially during the winter months. Hence the restrictions imposed by the Copyright Acts operate in no manner to the benefit of the English publisher, while, by excluding the inhabitants of the British Provinces from the opportunity they have hitherto enjoyed, of becoming familiar with the productions of the English Press through the medium of the reprints, chiefly in the newspaper form, they are led unfavourably to contrast their situation with that of their fellow-countrymen in the United States, where such a restriction cannot be enforced.

The protection of publishers in the United Kingdom is a question altogether distinct from the extension of the Copyright Acts by authority of Parliament to the Colonies, and especially to those having separate Legislatures, who, if it devolved on them to consider of the local application of those Laws, would, in affording a reasonable protection to the English publisher, be disposed to provide also for the interests of the community, whom it cannot be politic to exclude from all access to English Literature, except by an evasion of the exorbitant charges to which they are subjected by law. I do not undertake to determine how far their interests may admit of being reconciled by the imposition of such a moderate duty on Foreign reprints as would secure to the English publishers a small profit on their works when reprinted in a cheap form, or in the Literary Journals for circulation in the Colonies, but if, from the larger profits derivable from the sale of high priced books in England, the minor advantages from such cheap reprints for the Provinces should not be a consideration to Eng-

lish publishers, the policy would be questionable, if altogether prohibiting the circulation of the Journals which are engaged in such re-publications, by which the public are deprived not only of the works protected by the Copyright Acts, but of others claiming no such protection.

As the interest of English publishers cannot be injuriously affected either by a reduction in the price of books in the Colonies, or their circulation through Literary Journals amongst a class of readers to whom they would be otherwise unknown, I hope the measure may be abandoned, of enforcing by Parliamentary authority, a prohibition which, if not evaded through the facilities every where presented, would have the effect of excluding English Literature from the Provinces.

I have, &c.,

(Signed,)

W. M. G. COLEBROOKE.

The Right Honourable

LORD STANLEY,

&c. &c. &c.

Mining Com-
pany, (U.C.)

Ordered, That Mr. Boulton have leave to bring in a Bill to incorporate certain persons under the name of "the Upper Canadian Mining Company."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Monday next.

Oxford
Election.

Mr. Chauveau, Chairman of the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, reported to the House, that, pursuant to adjournment, the Committee met on Saturday last, at half-past eight o'clock, A.M., but in consequence of the absence of Mr. Smith of Frontenac, a Member of the Committee, they were unable to proceed to business.

Ordered, That Mr. Smith, Member for the County of Frontenac, do attend in his place in this House at its next sitting.

Winter
Roads Bill.

Ordered, That Mr. Jobin have leave to bring in a Bill to amend the Acts and Ordinances relating to Winter Roads in that part of this Province, heretofore Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a

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second time on Thursday next.

On motion of Mr. Bertrand, seconded by Mr. Chabot,

Address,
Kamouraska
and Rimouski

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to cause to be laid be-

Court. fore this House, copies of all the Correspondence, Opinions, and Reports, of the Judges of the Circuit of the District of Quebec, relating to the establishment of a separate Court or Jurisdiction for judicial purposes in the Counties of Kamouraska and Rimouski, with reference to the changes in the present Judicial system in Lower Canada, during the years 1844 and 1845.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Sheriff's Protection Bill. Ordered, That Mr. Webster have leave to bring in a Bill for the protection of Sheriffs in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

On motion of Mr. Christie, seconded by Mr. DeWitt,

Instruction to Committee. Ordered, That it be an instruction to the Select Committee to which were respectively referred the Bill to amend and consolidate the Laws and Ordinances now in force, relating to the powers and duties of the Corporation of the Trinity House of Quebec, to Pilots and Pilotage in the Port of Quebec, and to the Quebec decayed Pilot Fund, and for other purposes;--and the Bill to repeal certain Acts and an Ordinance therein mentioned, relating to the Trinity House at Montreal, and to amend and consolidate the provisions thereof; to enquire as to the expedience of introducing into any enactment that may be passed, relating to those Corporations, a clause to prevent Ship-owners, or owners and part owners of Steamers, plying between Quebec and Montreal, from being Members of either of the said Trinity Houses.

Printed. Ordered, That two hundred copies of the Petition of Robert Fleming Gourlay, be printed for the use of the Members of this House.

Middlesex Election. The Honourable Mr. Baldwin moved, seconded by Mr. Price, that the Clerk of this House be directed to tax the costs of the Petitioner in the case of the Controverted Election for the County of Middlesex, occasioned by the proceedings upon the Commission for the examination of witnesses ordered by this House in that case, and which, by the decision of the Committee, appointed to try the merits of that Election, have proved nugatory, in consequence of the misconduct of the Commissioners appointed to take such evidence, and that the same be paid by him out of the Contingencies of this House.³⁹

MR. DUGGAN thought there was no precedent for this proceeding. It might appear, after all that had been done, that the petition was frivolous and vexatious, and taking up the time of the House and of its members unnecessarily. If this proceeding was adopted, the same claim

might be made by the petitioners in the West Halton and Lincoln contests.--He should like to hear some argument put forth for this extraordinary motion. Besides, under Responsible Government, he did not consider that the House could proceed with a matter in which a money vote was involved, without having previously obtained the authority of the Crown. The petitioner himself was in favour of the adjournment which had been found illegal, and was therefore responsible for the issue.⁴⁰

MR. GOWAN protested against these expenses being charged to the House, or defraying out of the Provincial revenue. If this motion was granted, all seats would be contested in future: and if the parties contesting failed, they would come to this House, and demand that their expenses should be paid. The fact of Mr. Notman's applying for the commission showed that he wished this manner of proceeding, and therefore he was bound to suffer the consequences. He hoped the motion would not be entertained.⁴¹

MR. SMITH (Frontenac) presumed this motion had been made to the House because the funds of the Reform Association had run out. He considered the motion as a way to deprive members of their seats. He had understood that the expenses of the election contests at present carried on were defrayed by voluntary subscription, and that these funds had all come from persons professing the same political faith as the hon. gentleman who had introduced this motion.⁴²

MR. WILLIAMS admitted the justice of Mr. Notman's claim but would not vote for it unless Mr. Ermatinger also claimed his expenses.⁴³

MR. ERMATINGER announced ... that in the present state of the finances he would not make any claim.⁴⁴

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The Question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Bertrand, Brooks, Cauchon, Chabot, Chauveau, Christie, Desaulniers, DeWitt, Drummond, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Leslie, Macdonell of STORMONT, Merritt, Méthot, Nelson, Powell, Price, Smith of WENTWORTH, and Thompson.--(26.)

NAYS.

Boulton, Cayley, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Foster, Gowan, Hale, Hall, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Moffatt, Murney, Papineau, Petrie, Riddell, Robinson, Roblin, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, Webster, Williams, and Woods.--(33.)

So it passed in the negative.

Message from
Legislative
Council.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery.

Mr. Speaker,

The Legislative Council have passed the following Bills without any amendment:--

Vidal's Re-
lief Bill.

"An Act to vest in Richard E. Vidal, his heirs and assigns, the Government allowance for a Road across certain Lots of Land in the Township of Sarnia, in the Western District, now belonging to him."

Dempsey's Re-
lief Bill.

"An Act to authorize the Courts of Queen's Bench, and of Chancery in Upper Canada, in their discretion, to admit John W. Dempsey to practise as an Attorney and Solicitor therein."

Public Roads
Bill.

"An Act to prevent the opening of Government allowances for Roads without an order from the District Council of the District in which the said allowance are situate."

School Moneys
Bill, (U. C.)

"An Act to amend the Act relating to the appropriation of Moneys derived from the Sale of School Lands in Upper Canada."

Niagara and
Queenston As-
sessment Bill.

"An Act to alter the mode of Assessment in the Towns of Niagara and Queenston."

Also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Legislative Assembly.

Macara's Re-
lief Bill.

"An Act for the Relief of John Macara of the City of Toronto, Esquire, and of other Solicitors, Writers, and Advocates, before the Sheriffs Courts of Scotland."

Huron Rates
Bill.

"An Act to provide for the recovery of the Rates or taxes intended to be imposed by certain By-laws of the District Council of the District of Huron."

Penitentiary
Bill.

"An Act to consolidate and amend the Laws relating to the Provincial Penitentiary."

And then he withdrew.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Cayley,

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to consolidate and amend the Laws relat-

ing to the Provincial Penitentiary," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 10, line 2.--Leave out "the," and insert "such."

Line 47.--After the word "unemployed," insert "Provided always, that nothing herein contained shall be construed to oblige any convict of the Roman Catholic persua-

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sion to labour on any of the following obligatory holidays of that Church, that is to say, Circumcision, Epiphany, Annunciation, Ascension, Corpus Christi, Saint Peter and Saint Paul, All Saints, and Conception."

Press 13, line 26.--After the word "convict," insert "under sentence of imprisonment for a term of seven years or upwards."

" " " 32.--After the word "situate," insert, "and whenever a convict under sentence of imprisonment for a less term than seven years, shall die, it shall be the duty of the Warden to cause the body of such convict to be decently interred, at the expense of the Province, and according to the forms, rites and ceremonies of the Church to which such convict belonged, unless the said body shall have been taken away by the friends or relatives of the deceased, within twenty-four hours, as aforesaid."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. Attorney General Draper do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. Cayley, seconded by the Honourable Mr. Attorney General Draper,

Huron Rates
Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to provide for the recovery of the Rates or Taxes intended to be imposed by certain Bye-laws of the District Council of the District of Huron," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:

Press 2, line 9.--After "Bye-law," leave out to "and," in the eleventh line, inclusively.

" " " 14.--Leave out "before or with regard to such succeed-

ing year," and insert, "altered or amended by any subsequent Bye-Law, or unless any arrangement or compromise shall have been made, by Bye-Law or otherwise, between the said District Council and any Body Corporate, or other person or party, for the satisfaction of the Taxes imposed by any previous Bye-Law, in which case the sum paid under such arrangement or compromise, shall be taken and held to be in full satisfaction of the sum or sums accruing due under any such previous Bye-Law."

And the said amendments being again read, they were agreed to by the House.

Huron Rates Bill.

Ordered, That the Honourable Mr. Cayley do carry back the said Bill to the Legislative Council, and acquaint their Honours that this

House hath agreed to their amendments.

On motion of Mr. Macdonald of Kingston, seconded by the Honourable Mr. Robinson,

Macara's Relief Bill.

Ordered, That the amendments made by the Legislative Council to the Bill intituled "An Act for the relief of John Macara, of the City of Toronto, Esquire, and of other Solicitors, Writers, and Advocates, before the Sheriff's Courts of Scotland," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration;

And the said amendments were read, and are as followeth:--

IN THE BILL.

Press 2, Line 37.--Leave out from "and" to "only" inclusively, in the 9th line of the 3rd press.

PREAMBLE.

Press 1, Line 12.--Leave out "this Province," and insert "Upper Canada."

" " " 14.--Leave out "this Province," and insert "Upper Canada."

" " " 26.--Leave out "this Province," and insert "Upper Canada."

" " " 29.--Leave out "this Province," and insert "Upper Canada."

" 2, " 5.--Leave out "this Province," and insert "Upper Canada."

TITLE.

Line 2.--Leave out from "and" to "Scotland" inclusively, in the 3rd line.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Macdonald of Kingston do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Christie, seconded by Mr. DeWitt,

Message to
Legislative
Council for
Assistant Clerk
to attend Select
Committee.

Resolved, That a Message be sent to the Honourable the Legislative Council, praying that their Honours will permit John Fennings Taylor, Esquire, one of the Clerks Assistant of their Honourable House, to attend the Select Committee on Parliamentary and other Public Records on Thursday next, at ten o'clock in the forenoon, to be examined on the subject of the said reference.

Ordered, That Mr. Christie do carry the said Message to the Legislative Council.

Printed.

Ordered, That five hundred copies of the Report on a system of Public Elementary Instruction for Upper Canada, laid before this House on Monday, the 6th of April last, be printed for the use of the Members of this House.

Distillers
Duty Bill.

Mr. Macdonald of Kingston, from the Committee of the whole House on the Bill to repeal certain Acts therein mentioned, and to impose a Duty on Distillers and on the Spirituous Liquors made by them, and to provide for the collection of such Duties, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Kingston
Incorporation
Bill.

The Order of the Day for receiving the Report of the Committee of the whole House on the Bill to incorporate the Town of Kingston as a City, being read;

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On motion of Mr. Seymour, seconded by Mr. Smith of Frontenac,

Ordered, That the said Order of the Day be discharged, and that the said Bill be now re-committed to a Committee of the whole House, for the purpose of moving the following amendment to the fifty-ninth clause of the same, that is to say, after the word "Act," in the twenty-seventh line of the said clause, insert the following: "And in default of such yearly payment of the said sum of three hundred pounds, as aforesaid, it shall and may be lawful for the Municipal Council of the Midland District, at its next sitting after the said month of January in each and every year, to levy by a Bye-Law, or Bye-Laws, to be passed for that purpose, a rate or tax upon the real and personal property in the said City, a sum sufficient to amount to the said sum of three hundred pounds, over and above all necessary expenses attendant upon the levying and

collecting of the rate or tax aforesaid."

The House accordingly resolved itself into the said Committee.

Mr. Solicitor General Taschereau took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Solicitor General Taschereau reported that the Committee had gone through the Bill, and had made a further amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

*G. H. Ryland,
Esq.*

The Order of the Day for the House in Committee on the Report of the Select Committee to which was referred the Petition of George H. Ryland, Esquire, Registrar of Montreal, being read;

On motion of Mr. Macdonald of Kingston, seconded by the Honourable Mr. Moffatt,

Ordered, That the said Order of the Day be discharged.

Mr. Macdonald, of Kingston, moved, seconded by the Honourable Mr. Moffatt, that this House doth concur in the Report of the Select Committee to which was referred the Petition of George H. Ryland, Esquire, Registrar of Montreal.⁴⁵

MR. J. A. MACDONALD ... then went into a long detail of the facts on which the petition and the report of the committee thereon had been founded.⁴⁶

MR. AT. GEN. DRAPER, had taken great pains to come to a dispassionate conclusion, and he would state plainly as possible the reasons that had induced him to come to the conclusion to vote against the motion. In the first place the office of the clerk of the Executive Council was not accompanied with a salary of £1030, but with a salary of £500 with £50 for contingencies. The petitioner did not hold that office till after his father's death which occurred in 1838, and then he was only appointed pro. tem. as the patent had to be remitted to England and be gazetted there. In the meantime the course of events was such that it appeared evident that there would be a union of the two provinces, and it was intimated by the home Government that there would necessarily if the union took place, be some different arrangements as to the officers of the Government. - In the year 1841, the union of the provinces took place, and it is true that then the late Lord Sydenham, did make a pledge to Mr. Ryland for compensation, but he did so, in direct opposition to the commands of the home Government.⁴⁷ ((He denied)) the right of any Governor to make of his own mere will any stipulation for the disposal of the funds of the Province. He also asserted that Lord Sydenham acted in the matter without consultation with any competent authority whatever.⁴⁸ He (Mr. D.) would admit that as a principle he was bound to fulfil any pledges made by a former Administration; as he had taken the reins of Government from them, but he did not feel justified in doing so

in the present case, as the claims of Mr. Ryland have always been considered fully compensated even by the administration of which the hon. member for the North Riding was one. He had already stated that the salary ((was)) £500, to which was added £50 for contingencies, and the rest was derived from fees, accruing from the land granting department and on petitions; the fees and the amount allowed for contingencies, are not therefore to be taken into consideration; and he (Mr. D) considered that Mr. Ryland was only entitled to whatever the Executive Government thought fit to grant him. The office of Registrar of Quebec has always been considered as full compensation. He therefore felt himself called upon to oppose the present motion.⁴⁹

MR. J. A. MACDONALD of Kingston, had listened with surprise to the observations of the Attorney General West. He considered that if the engagement entered into between Lord Sydenham and Mr. Ryland, was not carried into effect, there would be a manifest breach of faith between the representative of the Crown and a subject, and if such conduct was sustained, it would put an end to public credit; a former administration had admitted the justice of Mr. Ryland's claim and the present one was therefore bound, according to the learned gentleman's (sic) own argument to pay this debt. The Registry offices are not so profitable in Lower Canada as in Upper Canada; and Mr. Ryland never received £500, a year from either the office in Quebec or Montreal. He referred to the case of Sir Lionel Smith, to shew how promises given by a Colonial Secretary were regarded in England, even when these promises were given under a mistake. In this case the Colonial Secretary had promised Mr. Smith that his salary would be the same as his predecessor, supposing that he would be able to make it up, out of some of the unappropriated revenues of the Colony of Jamaica, this could not be done, and the balance of the salary was paid out of the general revenue of Great Britain. He (Mr. M'D.) spoke warmly on the subject, because he felt warmly; it made his blood boil to think of the manner in which Mr. Ryland was treated.⁵⁰

MR. MOFFATT. - If you set aside Mr. Ryland's claim by any quirk, no confidence can be placed in the acts of any Provincial Administration. Lord Sydenham was vested with extraordinary powers and he said to Mr. Ryland, we have other arrangements in view, but you shall not lose, by vacating the office of Clerk of the Executive Council. Why was not Mr. Ryland continued in the office; when it was not filled up, until the appointment of Mr. Parent in 1842?⁵¹

MR. CHRISTIE - could not go quite so far as his hon. friend, although he sympathised (sic) with Mr. Ryland. At the same time he did not know by what policy that gentleman had been removed from his office and another put in his place. He did not know which was best qualified to fill it, Mr. Ryland or the present incumbent, but if there were any injustice in the case, why not send Mr. Parent into the office now filled by Mr. Ryland, and put that gentleman in his own?⁵²

MR. DRUMMOND - said it was to be regretted that the Committee was

not more explicit in pointing out a remedy for the wrongs of Mr. Ryland. His was not a solitary instance, dissimulation and fraud had been practised on a whole people. Few felt more indignant than he did, at the treatment Mr. Ryland had received at the hands of the Government, but he also felt indignant at the wrongs the people had suffered. The effects are felt today and would be felt for years. That dissimulation, that fraud had left its traces on the statute books to this day, and had taught men to practise deceit, who had never thought of it until they found it was justified in high quarters. He could scarcely say he had examined this question with impartiality. No, he had examined it with an ardent desire to do Mr. Ryland justice, and was sorry that the Committee had not recommended an address to the Imperial Parliament praying that compensation might be granted to Mr. Ryland. But should we pay for the deceit and fraud of Lord Sydenham? Good heavens, if that were the case what would we not have to pay for? We would suffer years from the wrongs done to Lower Canada. He regretted being called back to those old recollections, which were painful to him and to many who took an interest in Lower Canada. But to return to the subject, he hoped the House would take steps to do this gentleman justice, and would send a petition to the Imperial Government, that the wrongs done by Lord Sydenham as their servant, should be remedied by them. He had understood that this Government had been called on for a vote to recompense Mr. Ryland. (No, no.) Well, he understood so, and for that reason he regretted the Committee were not more explicit. The report said that the contract made by him (Mr. Ryland) should have been carried into effect, but as that was not possible he should give a compensation. Now the only way to give a compensation, could be with the public monies of the Province: - In fact a severe reproach had been made by the friends of the Government for not acting in this manner, and he regretted it as he did not wish to see blame thrown on them when not deserved. In his opinion, they had acted correctly in not proposing a vote for this purpose, but he would join his hon. friends on the other side of the House in a petition to the Imperial Government.⁵³

MR. HALL rose, amid cries of "question." He hoped hon. gentlemen would wait, as there was no hurry for the question. When this subject came before the House last Session, he had spoken on the authority of the Attorney General, and he was sorry he could not rely on it, for when he examined it himself he arrived at a very different conclusion, from what he had then formed. He had formed this opinion that Mr. Ryland was a very badly used man, and would continue to be so, merely because the money was to come out of our own pockets, and the Attorney General West, with all his talents had failed most signally in his attempt to convince the House of the justice of the course taken by the Government. Without referring to Lord Sydenham at all, he would say that a pledge was given to Mr. Ryland, which the Government was bound to redeem if they had the slightest spirit of honour among them. It might be quibbled that this pledge was given by Lord Sydenham, that was nothing, it was the act of the Government, and when the administration took office, they were bound to take that debt and to see this gentle-

man satisfied. The hon. member shakes his head, but if he were in Mr. Ryland's position, he would see this matter in a very different light. If he had been deceived like Mr. Ryland, and finally given an office after it was deprived of three fourths of its value, he would take a very different view of the matter. It appeared to him that the notions of economy of the hon. member for Gaspé were very ill-timed and if he had the slightest feeling of humanity in his composition, he would see that it was a debt which should be discharged. And the hon. member for Portneuf also could not see the propriety of paying this debt.⁵⁴

MR. CHRISTIE, rose to explain. So far from not feeling for the wrongs of Mr. Ryland, he had expressed his sympathy for that gentleman.⁵⁵

MR. DRUMMOND, also rose to explain. The hon. gentleman misunderstood him apparently. He had said that the pledge given to Mr. Ryland, was the action of Lord Sydenham solely, and therefore the Government had acted correctly in the course they had taken.⁵⁶

MR. HALL was very glad the hon. gentleman had risen to explain. The hon. gentleman admitted that Mr. Ryland had been badly used, but the consequences were not to fall on our shoulders. Then we are not to pay the debts of thousands of pounds contracted under Lord Sydenham's Government. No, no. Mr. Killaly or Mr. Any-one-else may spend £50,000, and the Government will ask the house to vote for it, and they would have to vote for it. But let a man of the people to whom we owe a debt come and ask for payment, and his is put off.⁵⁷

MR. BALDWIN would not have risen, if it had not been for the remarks made by some hon. gentlemen, that the Government is bound to recognise the claims made on Lord Sydenham. He perfectly concurred in the views of the Attorney General, that the Government was not bound to recognise them, and he for one was not prepared to do so. With regard to another question, he hoped the Attorney General would lay before the House the views which had induced the Government to take this course; he was quite satisfied that the late Government would never have refused to take any course which they were afterwards afraid to recognise in the House.⁵⁸

MR. HALL rose to acquaint hon. members with the contents of a letter which they were not perhaps aware was in existence. It was a letter dated September 1843, and signed "Dominick Daly, Provincial Secretary." It said that the Government acknowledged the claims of Mr. Ryland on Lord Sydenham's promise, but that the means not being then in their power, all that could be done was to keep the claim in view in order to compensate him in a manner consistent with the public benefit. (Hear, hear.)⁵⁹

MR. DRUMMOND had one question to ask. Would not the report if concurred in call on the Provincial Government for the payment of this claim.⁶⁰

MR. BALDWIN. - It would certainly have that effect. If it were

otherwise worded he would join his hon. friends in a petition to the Imperial Authorities for the payment, as to them alone was Lord Sydenham responsible for his acts.⁶¹

MR. DICKSON said it was unimportant to him out of what funds Mr. Ryland received compensation, it was enough for him that a just claim had been made, he would not look so far ahead as to see where it should be paid and he was surprised that when hon. gentlemen admitted the justice of the appeal, they would refuse a remedy. As an honorable member had submitted to the House a letter from the Provincial Secretary acknowledging the justice of the claim, he considered the case was still more striking. I((t)) was however no matter whether the pledge had been given by Lord Sydenham or the Executive. If he received no redress but what he would get from the British Government, he (Mr. Dickson) would be sorry for it, and would remind honble. gentlemen of the manner in which the unanimous address of the House respecting Alex. M'Leod was treated. He regretted the circumstance, he regretted that the address of this Legislature, the second Legislative body in Her Majesty's dominions, should have had so little weight. He would therefore vote for the motion before the House with the greatest cordiality, as it was no more than an act of simple justice.⁶²

MR. ROBINSON - would not go quite so far as some hon. members. In his opinion the House could remedy this matter by rendering the registration a more lucrative office. It appeared that in Lower Canada they could get as great an amount of work done in the Registry office for five shillings as would cost twelve shillings and six pence in Upper Canada, and if they altered the rate of fees here a great deal might be done in the way of compensation, by making the receipts of the office greater. But he had no objection to vote for the report and an address to the Imperial Parliament couched in as strong language as they pleased, for he was sure that if Lord Sydenham had lived he would not have allowed this claim to remain so long unsatisfied, and it was their duty to tell the Home Government that this was one of the extraordinary methods used by a Governor sent out for the purpose of carrying on extraordinary measure by extraordinary means.⁶³

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The Question having been put upon the said motion, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Boulton, Brooks, Cummings, Dickson, Drummond, Duggan, Ermatinger, Foster, Gowan, Guillet, Hale, Hall, Macdonald of CORNWALL, Macdonald of KINGSTON, Meyers, Moffatt, Monro, Murney, Riddell, Robinson, Smith of FRONTENAC, Stewart of PRESCOTT, and Webster.--(23.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Cauchon, Cayley, Chabot, Chauveau, Christie, DeBleury, Demulniers, DeWitt, Attorney General Draper, Jobin, Lacoste, LaFontaine, Lantier, Laternière, Leslie, Mac-

donell of STORMONT, M'Connell, McThot, Nelson, Rupineau, Powell, Price, Roblin, Attorney General Smith, Smith of WENTWORTH, Solicitor General Taschereau, Thompson, and Viger.--(32.)

So it passed in the negative.⁶⁴

Peterboro'
Incorporation
Bill.

The Order of the Day for the second reading of the Bill to incorporate the Town of Peterborough, being read;

MR. HALL moved that the order of the day for the second reading of the Bill to incorporate Peterboro' be discharged.--He said he had received several petitions for and against the measure, and therefore he would let his constituents (sic) agree amongst themselves before he pressed the Bill.⁶⁵

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Ordered, That the said Order of the Day be discharged.

Commercial
Bank Charter
Amendment
Bill.

The Order of the Day for the House in Committee on the Bill to amend the Act, intituled, "An Act to extend the Charter of the Commercial Bank of the Midland District, and to increase its Capital Stock," being read;

The House accordingly resolved itself into the said Committee.

Mr. Drummond took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Drummond reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Etobicoke
Road Bill.

The Order of the Day for the second reading of the Bill to incorporate certain persons under the name of "the Etobicoke and Monro Sixth Line Road

Company," being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Duggan, the Honourable Mr. Solicitor General Sherwood, Mr. Gowan, Mr. Price, and Mr. Boulton, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Montreal
Ballot Bill.

The Order of the Day for the second reading of the Bill to amend an Act therein mentioned, and to establish the vote by Ballot in the Election of Councillors and Assessors of and for the City of Montreal, being read;

Ordered, That the said Bill be read a second time on Thursday next.

Queen's Col-
lege Estates
Bill.

The Order of the Day for the second reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to transfer to Queen's College at

Kingston, certain Estates, Rights, and Liabilities of the University at Kingston, "being read;

The said Bill was read accordingly.

Ordered, That the said Bill be read a third time on to-morrow.

Bank of Upper
Canada Char-
ter Amend-
ment Bill.

The Order of the Day for the second reading of the Bill to amend an Act, intituled, "An Act to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof," being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Toronto
Mechanics
Institute Bill.

The Order of the Day for the second reading of the Bill to incorporate the Toronto Mechanics' Institute, being read;

The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Partition of
Lands Bill,
(L. C.)

The Order of the Day for taking into consideration a motion, made on Wednesday, the twenty-ninth of April last, viz: "That the Engrossed Bill from the Legislative Council, intituled 'An Act to facilitate the partition of Lands, Tenements, and Hereditaments, in certain cases in Lower Canada,' be referred to a Select Committee, composed of the Honourable Mr. Moffatt, Mr. Colville, Mr. M'Connell, the Honourable Mr. Aylwin, and the Honourable Mr. Attorney General Smith, to report thereon with all convenient speed; with power to send for persons, papers, and records," being read;

The House proceeded accordingly to take the said motion into consideration.

And the said motion being again read, and the question being put thereon, it was agreed to unanimously, and,

Resolved, Accordingly.

Quebec Gas
and Water Act
Repeal Bill.

The Order of the Day for the House in Committee on the Bill to repeal the Act incorporating "the Quebec Gas Light and Water Company," being read;

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The House accordingly resolved itself into the said Committee.

Mr. Hale took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Hale reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Quebec
Water Bill.

The Order of the Day for the House in Committee on the Bill for supplying the City of Quebec and parts adjacent thereto, with water, being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Quebec

Gas Bill.

The Order of the Day for the House in Committee on the Bill for Lighting the City of Quebec with Gas, being read;

The House accordingly resolved itself into the said Committee.

Mr. Duggan took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duggan reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Chabot, seconded by the Honorable Mr. LaFontaine,

The House Adjourned. 66

APPENDIX, 4 MAY 1846.

((NOTICE OF MOTION RE: BILL TO INCORPORATE KING'S COLLEGE.))

MR. HALL gave notice that he would, on to-morrow, ask for leave to introduce a Bill to amend the act incorporating King's College (cries of hear, hear).⁶⁷

((NOTICE OF QUESTION RE: CROWN LANDS.))

MR. HALL gave notice that he would, to-morrow ask Ministers whether it was their intention to lay before the House the Report of the Commission of the Crown Lands Department, during the present session; and, whether they intended to adopt any new method for the disposal of the Crown Lands.⁶⁸

FOOTNOTES - 4 MAY 1846.

1. The following speech was reported by: MIRROR, 4 May 1846, PILOT, 7 May 1846, BRITISH COLONIST, 15 May 1846, ST. CATHARINES JOURNAL, 14, 21 May 1846, MONTREAL GAZETTE, 7 May 1846, and MONTREAL TRANSCRIPT, 7 May 1846, in identical accounts; and COBOURG STAR, 13 May 1846. The PILOT, 5 May 1846, also noted it and its account was copied by BROCKVILLE RECORDER, 7 May 1846. Commentaries are contained in: MONTREAL TRANSCRIPT, 7 May 1846; and MONTREAL HERALD which was copied by ST. CATHARINES JOURNAL, 14 May 1846. The MONTREAL TRANSCRIPT, 7 May 1846, described Merritt's speech as "long and elaborate". The PILOT, 5 May 1846, commented: "Mr. Merritt prefaced his notice by a very able speech." The COBOURG STAR, 13 May 1846, observed: "The hon. gentleman's speech on the occasion was very effective, and showed that he must have paid attention to the subject."
2. COBOURG STAR, 13 May 1846.
3. MIRROR, 4 May 1846.
4. COBOURG STAR, 13 May 1846.
5. MIRROR, 4 May 1846.
6. COBOURG STAR, 13 May 1846.
7. MIRROR, 4 May 1846.
8. COBOURG STAR, 13 May 1846.
9. MIRROR, 4 May 1846.
10. COBOURG STAR, 13 May 1846.
11. MIRROR, 4 May 1846.
12. COBOURG STAR, 13 May 1846.
13. MIRROR, 4 May 1846.
14. COBOURG STAR, 13 May 1846.
15. MIRROR, 4 May 1846.
16. COBOURG STAR, 13 May 1846.
17. MIRROR, 4 May 1846.
18. COBOURG STAR, 13 May 1846.
19. MIRROR, 4 May 1846.
20. COBOURG STAR, 13 May 1846.
21. MIRROR, 4 May 1846.
22. COBOURG STAR, 13 May 1846.
23. MIRROR, 4 May 1846.
24. COBOURG STAR, 13 May 1846.
25. MIRROR, 4 May 1846.
26. COBOURG STAR, 13 May 1846.
27. MIRROR, 4 May 1846.
28. COBOURG STAR, 13 May 1846.
29. MIRROR, 4 May 1846.
30. COBOURG STAR, 13 May 1846.
31. MIRROR, 4 May 1846.
32. COBOURG STAR, 13 May 1846.
33. MIRROR, 4 May 1846.
34. COBOURG STAR, 13 May 1846.

35. MIRROR, 4 May 1846.
36. COBOURG STAR, 13 May 1846.
37. MIRROR, 4 May 1846.
38. COBOURG STAR, 13 May 1846.
39. The debate on this motion was reported by: PILOT, 5 May 1846, whose account was copied by BROCKVILLE RECORDER, 7 May 1846, and LA MINERVE, 7 May 1846, in identical accounts except that LA MINERVE omitted certain speeches; and COBOURG STAR, 13 May 1846. The PILOT, 5 May 1846, observed: "An animated discussion arose on Mr. Baldwin's motion."
40. COBOURG STAR, 13 May 1846.
41. IBID.
42. IBID.
43. PILOT, 5 May 1846.
44. IBID. According to the PILOT, Ermatinger made his announcement "amidst shouts of laughter".
45. The debate on this motion was reported by: MIRROR, 4 May 1846, and PILOT, 7 May 1846, in identical accounts; and LA MINERVE, 7 May 1846, in an account abbreviated but otherwise identical to that of the PILOT, 5 May 1846. There is a commentary in L'AUREOLE, 9 May 1846.
46. MIRROR, 4 May 1846.
47. IBID.
48. PILOT, 7 May 1846.
49. MIRROR, 4 May 1846.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. PILOT, 5 May 1846, observed: "all the Ministry except Mr. Daly, who was absent, voting against it."
65. COBOURG STAR, 13 May 1846.
66. IBID. The COBOURG STAR observed: "the House adjourned at 11 o'clock for want of a quorum."
67. COBOURG STAR, 13 May 1846.
68. IBID.

TUESDAY, 5 MAY 1846.

(199)

Petitions laid
on the table.

THE following Petitions were severally brought up and laid on the table.

By Mr. LeMoine,--The Petition of J. M'Callum, Esquire, and others, of the County of Huntingdon.

By Mr. Sherwood of Brockville,--The Petition of Henry Jones and others, of the Town of Brockville.

By Mr. Hale,--The Petition of A. W. Hyndman and others, of Melbourne and its vicinity.

By the Honourable Mr. Viger,--The Petition of Pierre Vézina, Esquire, and others, of the District of Three Rivers.

Quebec Gas
and Water Act
Repeal Bill.

An Engrossed Bill to repeal the Act incorporating "the Quebec Gas Light and Water Company," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chabot do carry the said Bill to the Legislative Council and desire their concurrence.

Distillers
Duties Bill.

An Engrossed Bill to repeal certain Acts therein mentioned, and to impose a Duty on Distillers and on the Spirituous Liquors made by them, and to provide for the collection of such Duties, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Bank of Upper
Canada Char-
ter Amend-
ment Bill.

An Engrossed Bill to amend an Act, intituled "An Act to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Boulton do carry the said Bill to the Legislative Council, and desire their concurrence.

Commercial
Bank Charter
Amendment
Bill.

An Engrossed Bill to amend an Act intituled "An Act to extend the Charter of the Commercial Bank of the Midland District, and to increase its Capital Stock," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald of Kingston do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions of
M. M'Carthy,

Ordered, That the Petition of Michael M'Carthy, a Messenger of the Legislative Assembly; and

and J. Voller
and J. Kay,
referred.

the Petition of James Voller and John Kay,
Messengers of the Legislative Assembly, be re-
ferred to the Standing Committee on Contingen-
cies.

Mayor, &c. of
Montreal.

The Honourable Mr. Moffatt, from the Select Com-
mittee to which was referred the Petition of James
Ferrier, Esquire, Mayor, and others, Members of the
Municipal Council of the City of Montreal, presented to the House the
Report of the said Committee, which was again read at the Clerk's table.¹

(For the said Report, see Appendix A. A.)

Montreal In-
corporation
Act Amend-
ment Bill.

Ordered, That the Honourable Mr. Moffatt have leave
to bring in a Bill to amend the Laws incorporat-
ing the City of Montreal, and to facilitate the
decision of cases wherein the right of any party
to any office in the Corporation may be called
in question.

He accordingly presented the said Bill to the House,²

MR. DRUMMOND ((asked a question)).³

In answer ... MR. MOFFATT said that the bill was not a general one,
but applied exclusively to Montreal. He then moved that the bill be read
a second time on Thursday next.⁴

MR. DRUMMOND would be obliged to oppose it; he thought that the
measure should be so applied to the subject, as to put the general law
of the Province on a sound footing. He hoped the second reading would
not be passed through at so early a day as Thursday.⁵

MR. BALDWIN considered that a general measure should be introduced.
He had a great objection to special measures, and hoped that the second
reading would at least be postponed for a few days.⁶

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and the same was received and read for the first time, and ordered to
be read a second time on Friday next.

Middlesex
Election.

Mr. Dickson, Chairman of the Select Committee
appointed to try the merits of the Petition of Wil-
liam Notman, Esquire, of Dundas, in the Gore Dis-
trict, complaining of the undue Election and Return of Edward Ermatinger,
Esquire, to represent the County of Middlesex in this present Parlia-
ment, presented to the House the Final Report of the said Committee,
which was again read at the Clerk's table, and is as followeth:

1. Resolved, That the Sitting Member for the County of Middlesex
has been duly returned and elected.
2. Resolved, That the Petition of the Petitioner, William Notman,
Esquire, against the return of the Sitting Member, is not friv-
olous and vexatious.
3. Resolved, That the opposition of the Sitting Member to the said
Petition, is not frivolous and vexatious.

On motion of Mr. Hale, seconded by Mr. Foster,
Private Bills. Ordered, That the time for receiving the Reports of
 Committees on Private Bills, be further extended
 until this day week.

Huron Terri- Ordered, That the Honourable Mr. Cayley have leave
tory Bill. to bring in a Bill to attach certain territory
 therein described, to the District of Huron.

He accordingly presented the said Bill to the House, and the same
 was received and read for the first time, and ordered to be read a sec-
 ond time on Friday next.

(200)

On motion of the Honourable Mr. Cayley, seconded by the Honourable
 Mr. Attorney General Smith,

Administra- Resolved, That this House will, on Friday next, re-
tion of Jus- solve itself into a Committee of the whole House,
tice (U. C.) to take into Consideration certain Resolutions
 to be proposed, having for their object the
 charging upon the Consolidated Revenue, the administration of Criminal
 Justice in Upper Canada.

Board of Ordered, That the Honourable Mr. Cayley have leave
Works Bill. to bring in a Bill to amend the Law constituting
 the Board of Works.

He accordingly presented the said Bill to the House, and the same
 was received and read for the first time, and ordered to be read a
 second time on Friday next.

University Ordered, That Mr. Hall have leave to bring in a Bill
Bill, Upper to erect a University, by the name and style of
Canada. the University of Upper Canada.⁷

MR. HALL wished to withdraw his motion, to introduce a bill to in-
 corporate a University by the style and title of the University of Upper
 Canada; as he understood that the government had resolved upon introduc-
 ing a similar bill.⁸

MR. AT. GEN. DRAPER hoped that the hon. member would persist in in-
 troducing his measure; it was the intention of the government to render
 him all the assistance in their power⁹ in carrying the measure through
 the House.¹⁰

MR. PRICE ... desired to know whether Mr. Hall was in earnest, and
 whether any bill was prepared¹¹. ((He)) hoped that if the hon. member
 was serious in the course he appeared to have taken, that he would ex-
 plain the nature of the bill.¹²

MR. HALL thought as the bill was printed, that the hon. member might
 inform himself of its contents by reading it.¹³

(200)

He accordingly presented the said Bill to the House, and the same
 was received and read for the first time.

Mr. Hall moved, seconded by the Honourable Mr. Attorney General Draper, that the said Bill be read a second time on Tuesday next.

MR. BOULTON desired to know when the correspondence relative to King's College, which had been ordered on this motion, would be brought down.¹⁴

MR. AT. GEN. DRAPER said, that it would very shortly be laid before the House - it was being copied.¹⁵

(200)

Mr. Boulton moved in amendment, seconded by Mr. Duggan, that the words "Tuesday next," in the said motion, be struck out, and the words "this day fortnight," inserted in lieu thereof.

MR. BOULTON would move the postponement of the second reading of the bill for a fortnight, in order that King's College might have sufficient time to consider the subject, and communicate with the House.¹⁶

MR. AT. GEN. DRAPER would not agree to an absolute postponement for a fortnight: if on Tuesday next it appeared reasonable to grant further delay, it would be another question. He wished to remark that he did not consider any part of the responsibility of the measure removed from his shoulders by the circumstances of the hon. member for Peterboro' appearing as the mover on that occasion, and although he the (Attorney General) was then acting as the back of the hon. member, he had no objection to become his first man any moment he was required.¹⁷

MR. BALDWIN hoped that the information respecting King's College applied for some time since was forthcoming.¹⁸

MR. AT. GEN. DRAPER had only to say in reply,¹⁹ that the University authorities had been written to²⁰ for the information desired the very day after the adoption of the address (sic)²¹ moved by Mr. Price²² to that effect to the Governor General, but it was one thing for His Excellency to apply for information to an independent body of that sort, and another thing for them to grant it.²³

MR. BALDWIN. Then we are to understand that altho' an application was made by the Gov'r on the proper occasion, no answer has yet been obtained from the body that professed such willingness to exhibit every thing in the most open, clear, and undisguised manner.²⁴ ((He)) could understand the reason given by the Hon. Attorney General for not having brought down the information sought for from the College; but the difficulty at least afforded sufficient comment upon the alleged desire to make every thing connected with that Institution patent to the country. He hoped as Council had been mentioned, the gentlemen who might be considered as the Council for the College within the walls, would take care to have the information sent down. (Laughter.)²⁵

MR. MOFFATT asked, was he to understand that the University bill was to be proceeded with without any further notice being given to the College.²⁶

MR. AT. GEN. DRAPER, ... yes, yes.²⁷

MR. MOFFATT thought it would be taking the managers of the College

by surprise; they had not been sufficiently apprised of the intentions of the Government.²⁸

MR. AT. GEN. DRAPER did not know the full extent of the correspondence kept up between King's College and members of that House, but he would say that from one or two members information must have been conveyed of the distinctly avowed intention of the Government to proceed.²⁹

MR. BOULTON, so there was a distinct understanding last year, and yet the third reading was put of (sic).³⁰

MR. AT. GEN. DRAPER, why? why?³¹

He, MR. BOULTON, did not exactly know why, but he supposed the Government knew why they could not carry it. (Hear, hear, and no, no.) He thought that delay was necessary in the present instance³² to give time for the King's College authorities to say whether they would desire to have the Council heard at the bar;³³ there were new members in that House who had not heard the speech delivered by Counsel last year; those members were entitled to the same consideration as other members of the House. He (Mr. B) referred especially to the venerable President of the Council and the Solicitor General East, for whose return to that House the Government had to wait 18 months. These hon. members might be enlightened by the arguments of Counsel.³⁴ ((Il a)) reproché aux membres du gouvernement leur peu de générosité en prenant l'Université du Haut-Canada par surprise et en venant ainsi sous le manteau de M. Hall ôter à une institution des privilèges qui sont à elles, après avoir obtenu, l'année dernière, la deuxième lecture du présent bill, à condition qu'ils n'iraient pas plus loin; ... il leur ... ((a)) dit qu'ils n'agissaient pas comme ils devaient le faire envers plusieurs membres de cette chambre auxquels ils devaient leur position.³⁵ The hon. gentleman concluded by taunting the Administration with abandoning the Bill of last Session, and moved that the Bill be read a second time this day fortnight.³⁶

MR. AT. GEN. SMITH ... denied that the University bill was postponed last session to serve any purpose of the Ministry.³⁷ He had been, last Session, prepared to stand or fall upon the King's College Bill, but the principle being acknowledged by the second reading, at the urgent request of³⁸ some of their own supporters,³⁹ the Administration had postponed further action upon it until this Session.⁴⁰ Il était injuste de porter de pareilles accusations contre l'administration lorsqu'elle avait montré tant de déférence pour la volonté de ceux qui l'accusaient.⁴¹

MR. BOULTON - "Tut tut."⁴²

MR. AT. GEN. SMITH did not know what the hon. member meant by tutting; he⁴³ declared that no Member should make use of such an expression towards him while he sat in that House.⁴⁴ He would repeat that the bill was postponed by request of the hon. member for Toronto and others of that sort, and he would not now listen to those members, or any of them, taunting the Ministry with having of themselves, and from fear of consequences, held back the measure.⁴⁵

MR. MOFFATT said, that if the remarks of the Hon. Attorney General

relative to the University Bill had been applied to his conduct, he would tell the hon. gentleman that he would never have voted for the second reading of the bill unless upon the understanding that delay should be granted, and that it should not be forced through the House that Session.⁴⁶

MR. BOULTON would ask was it to him the language of the hon. Attorney General was addressed; the hon. member used the words "member for Toronto and others of that sort;" if he (Mr. Boulton) were meant, he would reply that he never asked for a postponement of the bill, and although he was requested⁴⁷, more than once,⁴⁸ to vote for the 2nd reading under the assurance that it would go no further that session, he positively refused to do so.⁴⁹ He said that the second reading had only been carried on a distinct understanding that the measure would be postponed.⁵⁰ He had not asked for postponement, but he had opposed the Bill altogether.⁵¹

MR. AT. GEN. DRAPER said, that he never was a party to any such arrangement as that alluded to. He had never agreed to postpone the bill if it was allowed to be read a second time.⁵²

MR. CAUCHON⁵³ ... denounced the position of the Ministry in reference to the bill⁵⁴. ((He)) asserted that the Administration had placed themselves in an ignominious position by their conduct last Session on that bill. The Ministry only succeeded in carrying their measures, he said, by the employment of money⁵⁵ and ((he)) charged them with employing the public money for the purpose of obtaining votes in that House.⁵⁶

MR. AT. GEN. SMITH desired to know distinctly whether the Member for Montmorency charged the Government with employing money to purchase the votes of hon. members.⁵⁷

MR. CAUCHON wished to know if the question was prompted by the conscience of the hon. Attorney General.⁵⁸

MR. AT. GEN. SMITH called on the Speaker to say whether that individual was justified in resorting to such insinuations.⁵⁹

MR. CAUCHON said the hon. member had no right to designate him in that House as "that individual." (Laughter.)⁶⁰ The hon. gentleman might⁶¹ himself⁶² be an individual, and a very humble individual, in respect to talents and character, but he (Mr. Cauchon) had too much respect for himself, to apply such a term to any gentleman. (Repeated bursts of laughter.) He did not accuse hon. gentlemen of paying money out of their own pockets; it was the public money they had applied to obtaining votes.⁶³

During ... Mr. Cauchon's display ... the following conundrum was handed about, and was understood to be an emanation of an honourable and learned gentleman on the same side of the House: - "Why is Mr. Baldwin an unprincipled politician?" "because he always has his Price!"⁶⁴

MR. GOWAN - said the excitement that had just arisen realised the old adage "after a calm comes a storm." The House had been in the best

humor up to the introduction of the College question, when suddenly a storm burst forth.⁶⁵ The evil feelings which were stirred up in that House whenever the question of King's College was mooted,⁶⁶ ought to shew hon. members the necessity of casting from amongst them that bone of contention⁶⁷. ((It)) was good evidence of the necessity of an immediate and final settlement of the matter.⁶⁸ He always desired to have the question settled and blamed the hon. Attorney General East for not pressing it through last Session; he could however, assert that the hon. member postponed it only in deference to the views of the hon. Solicitor General East and others who usually support him.⁶⁹ The hon. Attorney General had, this Session, informed the Members on that side of the House it was his intention to introduce the Bill of last Session. He pledged himself to stand or fall upon the second reading of the Bill, with the declaration that, the principle acknowledged, he would be in a position to entertain the suggestions of his friends as regarded the detail. He did not pledge himself to carry through the Bill; and it was therefore that the (Mr. G.) had said upon that occasion that the late Inspector General was hardly treated, as he resigned on a contingency which did not take place.⁷⁰

MR. AT. GEN. DRAPER - was anxious not to be misunderstood; the member for Toronto, in voting for the second reading of the bill of last Session, did not do so from receiving a pledge that it would not be pressed, at least if such was the case he (Mr. D.) was no party to it⁷¹. He had never courted the postponement of the measure; on the contrary, it was against his will that it had not been proceeded with. It must be well known to gentlemen opposite that if he had wished to force on the measure contrary to the wishes of those friends with whom he generally acted, he could have carried it. He had insisted upon the second reading, that he might, after that, give due weight to the suggestions of those whose opinions generally coincided with his own⁷², and he had carried out his assertion as far as possible.⁷³ ((He)) appealed to the hon. member for the North Riding, to say, whether he had not had a fair prospect of carrying his Bill through, if he had not been willing to delay it, in deference to those who usually supported the doctrines he (Mr. Draper) maintained. As to another matter which had been alluded to, he would distinctly assert, that as far as he was concerned, there had been no understanding on the subject of the Bill, when the matter was introduced last session.⁷⁴

MR. LAFONTAINE addressed the house in French and in the course of his remarks referred to Mr. Moffatt's course last session respecting a similar bill.⁷⁵

MR. MOFFATT - What he stated on the floor of the House last Session was, that he wanted delay, and that unless that delay was granted he would vote against the second reading of the bill.⁷⁶

MR. PRICE could not let the bill be read a first time without expressing his views upon the manner in which it had been introduced that night. He would not follow the hon'ble member for Leeds through his flights of fancy, nor attempt to understand the metaphorical speech of that hon. member; it was far beyond the reach of his imagination;

but he would confine himself principally to the course taken by the hon. and learned member for Peterboro', and his learned friend and supporter, the Attorney General West, When the hon. member brought in the bill, he (Mr. P.) had enquired of him if he were serious in introducing a measure of such vast importance as the University bill, and the hon. member had replied that he was not less earnest in his desire to carry the bill because he did not preface its introduction in the solemn, serious manner of him (Mr. P.) Now he (Mr. P.) could assure that hon. member that seriousness of conduct and earnestness of manner comported better with the dignity and character of a legislator than thoughtlessness and frivolity, and when the hon. member reflected that thousands and tens of thousands of British freemen had entrusted their dearest rights to the keeping of that House, he would not think the subject of making laws one of thoughtlessness and folly; at any rate he (Mr. P.) was fully convinced that when a few more years have added stability and thoughtfulness to the honorable member, he would come to the calm and correct conclusion that it is a dangerous thing to entrust the making of human laws to young and inexperienced men. (Hear.) The manner in which this bill has been introduced to the notice of this House had struck him (Mr. P.) with amazement - and he believed every other hon. member had been equally amazed and surprised - for he was thoroughly convinced that no one in that House for one moment supposed the hon. member for Peterboro' serious in the course he had taken; and he (Mr. P.) could not help expressing his indignation at the flighty and undignified way in which the learned Attorney General West had received the introduction of the measure and promised his support to it - a measure that every one expected to emanate from the Government, and one for which the whole country holds the ministry responsible, however much they may attempt to shirk that responsibility. What are the facts? This House has been patiently waiting week after week for a bill by which the University of King's College is to be finally and satisfactorily settled. The Government, it is true, have not promised such a bill, but it was generally understood that some one member of the Cabinet would bring down the measure to this House at an early day; and yet, although the session is drawing to a close, this House is kept in the dark upon the subject. It had been asked in another place, which it is not Parliamentary to name, of the Receiver General, if the Government intended to introduce a bill this session on this question, and an answer in the affirmative was given; but how is the House treated on this all important subject? The hon. member for Peterboro had, a few days ago, in his place in Parliament, pursuant to notice given by him, enquired of the administration as to their intentions upon this subject, and received a very unsatisfactory answer; he then, in a moment of vexation, gave notice that he would introduce a bill, and accordingly this day, after marching through all the old printed bills of the last session, which he had left in his desk, he, by mere accident, put his hand on one of those brought in last session by the Attorney General West, and, thinking it a good joke, at once introduces it as the great measure of the session.⁷⁷

MR. HALL, the hon. gentleman is not quite correct.⁷⁸

MR. PRICE had examined the bill, and he positively asserted that it was one of the bills of last session. Now, he (Mr. P) would ask this House if they are prepared for this humiliation? Is it to ((be)) endured that this important measure is thus to be treated? Are these ministers thus to insult this House and the whole people, whom this House represents? Has not the country been looking - steadfastly looking - for a great and final measure; and are those just expectations to be disappointed upon a question the most vital and important to the rising greatness of the Province - a subject that demands the most mature and serious consideration, and that ought not to be entrusted to a young member of this House - one that requires the talent, skill and ability of the hon. Attorney General himself as the head of the Government, and which, in his capacity of leader of the present administration, he ought to have introduced. No man in this House, or out of it, for a moment expected that a bill emanating from the honble member for Peterboro' could ever give satisfaction to the countty (sic); not that he (Mr. Price) believed the hon. member incapable of framing such a measure, but from the very circumstance that he was young in parliamentary experience, and had not made that important object his study. It was a subject worthy the attention of the greatest mind, and one upon the settlement of which the Government, and the Government alone, ought to devote its energies, and to the satisfactory settlement of which it would bring its whole strength. By that bill let them stand or fall.⁷⁹

MR. HALL said - To save time he was willing that the Attorney General West should take charge of the bill.⁸⁰ He had no objection, and he had no doubt Mr. Draper would not object, that the seconder be substituted as mover and vice versa.⁸¹

MR. PRICE was not anxious to trespass on the time of the House, he was not in the habit of doing so. He complained that a measure of such vast importance ought not so thoughtlessly and so unceremoniously to have been thrust upon the attention of Parliament - a subject upon which the moral greatness and happiness of Canada hangs, a subject in which his (Mr. P's) children, the children of the whole community, both of the present and future generation were deeply interested. He felt strongly upon the subject being apprehensive that the Government had no intention of giving to the country a liberal measure and the course pursued by them that might fill his mind with alarm and apprehension. He (Mr. P.) would call upon the members of that House of all shades of politics to throw aside their party feelings, to give up their sectarian views, and to come to a calm, a dignified and a catholic spirit to this all important subject. Let us Mr. Speaker, give a measure to the country worthy of the subject, worthy of the great Province we represent, worthy of a British Legislature. Let us give preference to no religious body; preference is persecution, let us rid the institution of its present sectarian character, and make it free to all creeds, all classes and all colours; no partial legislation can give finality to a subject of this importance. He (Mr. P.) felt strongly

upon it; he had hitherto taken a prominent and sincere part in its adjustment. Session after Session had he moved upon the subject in order to get the whole matter before the public, and he now earnestly called upon the Administration to grapple fairly and honestly with the measure, to settle it on a fair and equitable footing, giving equal justice to all classes of Her Majesty's subjects, to make it an institution that will give character to the people and be an ornament to the Province, to root out every corrupt thing, and above all to make it purely an institution for the promotion of the higher branches of literature and science and leave the religious bodies to provide for themselves, and although he (Mr. P.) now had no confidence in the present Executive and never had any, yet if they would satisfy upon this subject the just expectations of the country they should have his thanks, and he could assure them that they would have the grateful thanks of a good and loyal people.⁸²

MR. AYLWIN - The learned Attorney General West had always been renowned for his Generalship, but he thought he had outdone himself to-day. He (Mr. D.) is not equalled as to his resources for they are various and large; last Session he pleased all, and he (Mr. A.) voted with him for the second reading; on account of that a member of the Administration retired, and no one regretted that circumstance more than he did; but still the learned Attorney General kept on, and now it turns out that he was at last forced to delay the bill, that there was another difficulty in the way in the person of the Solicitor General West. The second reading took place, but it seems only on the understanding that the measure would not be pressed through. The member for Peterboro is to-day only the covering Serjeant of the learned Attorney General, but he now finds out that there is a great deal of danger but no honor attached to the situation and he is ready to give it up, and lo! the real father of the bill who has been sheltering himself for a while behind the member for Peterboro, shews himself. He (Mr. A.) objected to a delay of two weeks being allowed before the second reading; twelve months have intervened since the last Session, the Ministry have had plenty of time to digest the measure, and the College Council have had plenty of time to come down to this House and propose some measure; the House has now been in Session over six weeks, two weeks are wanted before the second reading, are we to sit for two months more: the hon. member for Peterboro says no, are we to expect any other measure, is it to be understood that the supporters of the Ministry on general subjects shall be allowed to do as they please on particular subjects? The hon. member for Terrebonne spoke of a contract, but he would term it something else, he would call it a stipulation - it would then be odious - which the Ministry had no right to make. For himself he did not believe that it would pass this Session, but he would vote for the second reading. The College Council he said, ought to be fully aware of the intention of the Administration to introduce a bill; and as the subject is one that is well understood and no preparation is needed, there can be found Counsel in Toronto able and willing at a moment's notice, to come before the House. He thought he saw an influence exerting itself in this House, an influence of a

very strong kind, an influence which ought to be diminished by all possible means - he was convinced that the institution was radically bad; he thought he saw the shifts of a merchant on the eve of bankruptcy in it, striving to put off day to day the evil hour, but the day of reckoning will come at last. He believed that if the measure was delayed it would be made bunkum of. He could sympathise (sic) with the learned Attorney General under the taunts of those who profess to support him. He saw that

Keen were his pangs, but keener far to feel.
He nursed the pinion which impell'd the steel,
While the same plumage that had warm'd his nest
Drank the last life drop of his bleeding breast.⁸³

MR. INSP. GEN. CAYLEY expected that the hon. gentleman on his right would have explained that this was not a Government measure in the usual meaning of the term,⁸⁴ that was to say, not a measure by which the Government was prepared to stand or fall⁸⁵, that it was to be an open question; he would therefore state that such was to be the case. Since the last session there has been some alteration in the composition of the Ministry; he had joined the Ministry since then,⁸⁶ and this Bill was now brought down by an independent Member as altogether an open question, upon which each member of the Administration would vote as he pleased⁸⁷, and he ((too)) would vote on this question as he thought right, irrespective of the opinions of the rest of the Administration, and he would be prepared to express his opinion on the measure, when the proper time arrived.⁸⁸

MR. SOL. GEN. SHERWOOD said, that as his name had been introduced into the discussion by the hon. and learned member for Quebec, he felt it necessary to make a few remarks by way of explanation for the course he pursued in reference to the question now before the House at the last Session of Parliament. Before proceeding, however, he felt it his duty to declare that the members of the administration were not in the slightest degree to be censured for the postponement of the measure last session, and it was ungenerous on the part of any member, particularly one who supports the administration, to impute blame to them for that delay: - He well knew that the administration was not only ready - but anxious to proceed with the measure last session--but that hon. members on his side of the House, and not a few of them, requested them not to proceed, and they in deference to their opinions strongly expressed, reluctantly consented to the postponement. For his part, he was one who asked for delay, not because he was unprepared to support the Bill introduced by his hon. and learned friend the Attorney General for Upper Canada,⁸⁹ he approved of that bill, and was prepared to give it his support⁹⁰, but because a numerous and respectable body of his constituents, who were opposed to the measure, had requested it. They stated to him that they did not desire to control his judgment in a question of such general importance - but that the least they could ask of him was to use his influence to procure delay. To such a request, conveyed in terms so highly honorable to those who made it, he

could not refuse to yield his assent, and had in consequence asked the members of the Government to postpone for further consideration to the present session. They gave him no reason to believe they would consent - on the contrary they expressed a strong desire to proceed with the Bill at once. Thus, then, matters stood till the day fixed for the second reading. He had made up his mind, in consequence of the request made by his constituents, not only to vote for a postponement but to move it if necessary; and he knew that in doing so he would be placing himself in opposition to the Government of which he was a member. He, in consequence, on the day appointed for the second reading of the Bill, waited upon the Governor General, and informed him of the course he intended to take if the administration persisted in urging the Bill beyond a second reading that session, and tendered to His Excellency his resignation in such event. The Bill was moved to be read a second time, and on that occurrence he stated he would vote for it, but that he would oppose its being proceeded with any further than a second reading. The Bill was then read a second time and was carried by a large majority, when the ministers having succeeded in getting its principle adopted, in deference to the wishes of a large number of their supporters, declared they would postpone its consideration to this session. This course relieved him from all embarrassment, and he could not but think that his honble. friend from Simcoe,⁹¹ ((who)) had then retired because he could not vote for the bill,⁹² ((and)) whose resignation he regretted as much as any honble. member in the House possibly could, would have acted more wisely had he pursued a similar course.⁹³ He (Mr. S.) conceived that his hon. friend could have avoided such a step without any compromise of principle.⁹⁴ The honble. and learned member for Quebec, had said that he began to suspect there was really something wrong in the management of the affairs of King's College, from the determined opposition that Institution offered to the Bill now before the House. He said their conduct reminded him of a man under impending bankruptcy,⁹⁵ who is striving for to keep himself up a little longer by obtaining delay in order to obtain a chance of retrieving his affairs⁹⁶. The hon. gentleman, said the Solicitor General, is entirely mistaken in his suspicions⁹⁷. The authorities of King's College were prepared to lay before the country all their proceedings. The affairs of the University were managed⁹⁸ as honestly and with as much ability as the affairs of any similar institution in the world - he himself was a member of the Council of King's College ex officio, and he had had an opportunity of observing the conduct of the members of that Body,⁹⁹ and if he had ... discovered anything that was wrong in their proceedings he would have felt it his duty to have laid it before the country;¹⁰⁰ and he did not hesitate to say that more honorable and high minded men could not have been selected to carry out that important trust. As regards the Institution itself, it is well known that under its original Charter, it was exclusively¹⁰¹ a Church of England Corporation, and the Masters and Teachers all belonged to the Ch. of England¹⁰² - but in 1837, an Act passed the Legislature of Upper Canada amending that Charter and making the Institution theoretically as open as any such a one could be made by the terms of an Act of Parliament. It is true, he said,¹⁰³

((that)) in practice it has not been so,¹⁰⁴ practically it was under the management of gentlemen belonging to the Church of England, and the reasons must appear obvious to every one. Upon the first organization of such an Institution it was necessary to select men to fill the various departments who had an intimate knowledge of the working of Universities.¹⁰⁵ Could you get them in this country? Or in the United States? No! Where then could you go but to Oxford and to Cambridge¹⁰⁶. To these ((Universities)) then resort was had, and the consequence was that the persons selected generally belong to the Church of England -¹⁰⁷ but it was not because they were members of the Church of England that they took them, but because they were the only fit persons they could get,¹⁰⁸ and he would here ask when all tests had been arrogated, what objection could there be to a member of the Church of England being an instructor of the youth of the Province? In the Presbyterian Universities of Scotland their principal Professors were members of that Church, and selected from the English Universities. The Professor of Medicine, however, in King's College was a Roman Catholic, and when a vacancy occurred in the Mathematical Chair, not only a member, but a Clergyman, of the Church of Scotland, was appointed to fill the vacancy.¹⁰⁹ As vacancies occur they will be filled up by members of other denominations¹¹⁰. It is true, he said, the only Divinity Chair is filled by a Clergyman of the Church of England, and he regretted that the Chancellor had felt it his duty to fill up this appointment at all, for he thought much of the dissatisfaction which had been expressed might have been avoided by his not doing so. As to the power of this House to legislate upon the subject he entertained no doubt whatever. It is a Lay Corporation, the funds of which are essentially public property - an Institution in which the Government is alone interested. It was founded for the instruction of an eleemosynary character. Before concluding, he said, he felt it his duty to make a few observations upon the conduct of hon. members in reference to the Church of England, of which he was a humble member. Whenever any thing affecting that Church was brought under the notice of the House all other denominations united either to assail her, or to deprive her of those rights to which she was justly entitled.¹¹¹ No person belonging to the Church of England can hold a public situation but he is railed against, on account of his being so¹¹². It was with deep regret he looked upon the existence of such a feeling, and he felt indignant when he saw some of her own members uniting in such unholy opposition. For his part, he asked no privilege for the Church of England which he would deny to any other body of Christians. He would extend equal religious liberty to all denominations.¹¹³ He was against the Church of England obtaining exclusive privileges, he only wanted it to enjoy equal privileges with other denominations (hear, hear.)¹¹⁴ As to the motion in amendment now before the House, he was opposed to it. The hon. and learned gentleman who moved it, said it was for the purpose of giving time to King's College to appear by Counsel at the Bar of this House; Counsel had been heard on two occasions already, the subject had undergone several discussions in Parliament.¹¹⁵ The measure has been before the public for three or four years and has been dis-

cussed in newspapers and pamphlets and numerous other ways, and although Counsel may be heard at the Bar again and again he did not think that it would change the opinion of a single member of the house;¹¹⁶ and if there ever was a question, the merits of which were fully before the public, it was this.¹¹⁷ There was an argument made use of at the Bar last Session by the Counsel, that the House had no right to interfere with the matter, he did not concur in that argument, he repudiated it, he thought this House had a perfect right to legislate in the matter and he hoped it would do so to give satisfaction to all¹¹⁸. He would therefore vote against the amendment, and would be prepared when the proper time arrived, to give his opinions upon the Bill now before the House. Circumstances had changed since last Session of Parliament - then the Government assumed the responsibility of proposing the change, and he was prepared to support it - that responsibility was no longer assumed by the Government, but an independent member of the House had introduced this measure having in view so important a change, upon his individual responsibility alone.¹¹⁹

MR. COLVILLE. - If Counsel were to be heard at the Bar, he hoped that the hon. member for Lotbiniere would introduce a bill to establish the amount of fees to be allowed in such cases.¹²⁰

MR. ROBINSON. - The Solicitor General, West, has said that he was sorry that he had deemen (sic) it his duty to resign his office on account of the second reading of the bill, but he (Mr. R.) conceived that if he had voted for the second reading he would have sanctioned the principle of the bill; this he could not consistently do.¹²¹

MR. BALDWIN made a few observations¹²².

(200)

The Question having been put on the motion of amendment, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Baldwin, Boulton, Cauchon, Cayley, Chauveau, DeBleury, Drummond, Dugan, Ermatinger, Foster, Lantier, Macdonald of CORNWALL, Moffitt, Nelson, Powell, Price, Robinson, Rousseau, Sherwood of BROCKVILLE, and Williams.
--(20.)

NAYS.

Armstrong, Aylwin, Berthelot, Bertrand, Brooks, Chabot, Christie, Colville, Cummings, Daly, Desaulniers, DeWitt, Dickson, Attorney General Draper, Gowan, Guillet, Hale, Hall, Jobin, LaFontaine, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Merritt, Méthot, Meyers, Monro, Papineau, Petrie, Riddell, Roblin, Scott, Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, Thompson, Viger, Webster, and Wood. --(47.)

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House, and,

Ordered, Accordingly.

Message from
Legislative
Council.

A Message from the Legislative Council, by John
Fennings Taylor, Esquire, one of the Masters in
Chancery:

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:--

District Courts
Bill, (U. C.)

"An Act to amend an Act, passed during the last Session of this Parliament, intituled, 'An Act to amend, consolidate, and reduce into one Act, the several laws now in force, establishing or regulating the practice of District Courts in the several Districts of that part of this Province formerly Upper Canada.'"

Supervisor
of Cullers
Salary Bill.

"An Act to increase the Salary of the Supervisor of Cullers."

Also,

Agricultural
Bill, (L. C.)

The Legislative Council have passed the Bill, intituled, "An Act to amend the Act for the establishment of Agricultural Societies in Lower Canada," with several amendments, to which they desire the concurrence of the Assembly.

And also,

LEGISLATIVE COUNCIL,

Tuesday, 5th May, 1846.

Leave to As-
sistant Clerk of
Legislative
Council to at-
tend Select
Committee.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council do give leave to John Fennings Taylor, Esquire, one of their Clerks Assistant, to attend the Select Committee on Parliamentary and other Public Records, on Thursday next, at ten o'clock in the forenoon, to be examined on the subject of the said reference.

And then he withdrew.

MR. AT. GEN. SMITH,¹²³ in bringing forward his motion for a Select Committee on the state of the Administration of Justice in the District of Montreal,¹²⁴ stated that the course he proposed was rather a novel one, but had been rendered necessary by the act in reference to the independence of Judges which had taken away all power from the Crown to investigate charges against Judges.¹²⁵ In consequence of the terms of the Act, which ((if)) it became necessary to inquire into the conduct, to suspend or remove a Judge, or to enquire into the general state of the Judicature, action could only be obtained by a joint Address of the two branches of the Legislature - the Crown of itself

having no power to interfere. It was in order to obtain this action on the part of the House, that he was now about to make a motion in connection with certain correspondence which he held in his hand.¹²⁶ The duty which devolved upon him was one of much delicacy, but could not be avoided; the motion contained no charge against any member of the Bench; it was of a general nature, and he would briefly state the reasons which rendered it imperative on the Government to submit it to the House. -¹²⁷ In consequence of the protracted illness of Chief Justice Vallieres de St. Réal, with regard to the services which he had rendered in his high judicial capacity, no less than with respect to the efficiency of the Judicature, the Government had suggested to that officer to retire from the Bench, that it might, thereupon, come before that House, and demand for him such provision for his future years, as his valuable services and high position called (sic) him to. Some correspondence had taken place with the Chief Justice for this purpose, but the desired object had not been obtained.¹²⁸ Hon. members were aware that complaints had for sometime prevailed respecting¹²⁹ this inefficient state of the Judicature of the District of Montreal,¹³⁰ but they did not come before the Government in such a form as to warrant their interference¹³¹; ((they)) were vague and uncertain, but at length¹³² last year¹³³ they assumed such a¹³⁴ tangible¹³⁵ shape, that they the((n)) tened (sic) to deprive the community of the service of the other Judges, and the Administration could no longer hesitate in bringing the matter before the House, that it might deal therewith as it thought proper.¹³⁶

Mr. Attorney General Smith ... ((then)) read a very voluminous correspondence between the Government and their Honors Judges Vallieres and Rolland.¹³⁷

The following is the substance of the letters read by Mr. Attorney-General Smith:--

In January, 1844, a letter was received the Chief Justice, stating that he was suffering from fistule lachrymalis; and could not attend to the duties of his office, praying for four months' leave of absence, and into amending the appointment of Mr. Hypolite Guy, Assistant Judge. To this the Government replied, granting the leave asked, and stating it would consider of the recommending of Mr. Guy.

In the May following, the Chief Justice applied for an extension of his leave on the ground that it would enable him to obtain the advantage of the country air, and thus the recovery of his health be confirmed.

In reply to this, an extension of absence until the end of June, was granted.

In this way things proceeded during a great part of 1844, and in February, 1845, a letter was received from Justice Rolland, Senior Puisne Judge, setting forth that the absence of the Chief Justice from the Bench had so much increased the duties devolving upon himself, that he could no longer, in justice to his own failing health, the efficiency of the Judicature, and his family,¹³⁸ bear it¹³⁹, and intimating that he should be compelled to resign.

This was the first letter which brought the state of the Judicature in the District of Montreal directly and tangibly under the consideration of the Government. An answer was accordingly returned, re-

questing Mr. Rolland to state distinctly his complaints, and any suggestions which he could offer whereby evils could be remedied; intimating also that the Administration would gladly remedy the inconvenience if shown that it was in its power.

Mr. Justice Rolland replied, declining to enter into particulars as affecting other parties, but persisting in ((h))is intention to resign, which he would do on receiving a retiring pension, to which his 15 years' service on the Bench entitled him. He was, however, willing to continue his services if his cause of complaint was removed.

In reply to this, a Report of the Executive Council to the effect that the state of the Pension List would not justify the Government in recommending a retiring pension being conferred upon him, was communicated to Judge Rolland.

In answer to this, he replied, stating his intention of memorializing the Governor to bring the matter before Parliament, then in Session, and suggesting to the Government in its application to the House to use the form of resolution whereby £750 per annum was conferred upon Chief Justice Reid, upon his retirement. Further, he requested leave of absence for four months, to give the Administration time to determine upon his application, and also to recruit his health.

In consequence of the latter application, the Government addressed a letter to the Chief Judge, through the Chief Justice, enquiring whether the leave could be granted consistently with the discharge (sic) of the duties of the Judicature.

The Chief Justice, after consulting with his brethren, returned an answer, that it was the opinion of Judges Gale, Day, and himself, that the services of Judge Rolland could not be dispensed with, owing to the pressure of business, unless actual illness prevented him from attending. Judge Vallieres concluded by regretting that the state of his own health prevented him from attending Court as often as he desired, and thus increased the labour of his colleagues.

This report was communicated to Judge Rolland, with an instruction that, in consequence, unless the state of his health demanded it, leave could not be granted.

Almost immediately after the receipt of the report of the Chief Justice, a letter was received by the Government from Judge Day, stating that the opinion of himself and colleagues, with regard to the application of Judge Rolland, had been misrepresented by Judge Vallieres. They had not said that his services could not be dispensed with on account of the pressure of business but on account of the continued absence of the Chief Justice.

About the same time, Judge Rolland protested against the report of the Chief Justice as not expressing the sentiments of those it represented to do; and asserting that the business of the Court was done by three instead of four Judges; and that the Chief Justice, who was seldom there, knew the least of the business before it. He also repeated his application for leave of absence for a short period, that in the meantime the Government might determine respecting his tender of resignation, as he would much regret being obliged to retire without the approbation of the Representative of his Sovereign.

In the meantime the substance of the reply of the Government to Judge Rolland's application, and of Judge Day's letter of explanation was communicated to the Chief Justice, and the necessity of the resumption of his duties urged upon him.

Judge Rolland was also informed that the condition of the Pension List, in connection with the age, health and capability of that officer for the discharge of his duties, did not justify the Government in sanctioning his resignation with a retiring pension. Nor could his application for leave of absence be granted, unless ill health demanded.

That gentleman replied that the state of his health was such as to render relaxation necessary, whereupon he was informed that the Government on that showing was glad to grant his request for leave, which under other circumstances it could not do.

A letter was shortly after received from the Chief Justice, regretting the mis-statement which he had made regarding the opinion of his colleagues, attributing it to his deafness having led him to misunderstand the substance of a verbal communication. He was sorry that Judge Day, instead of yielding to the unfriendly feeling of Judge Rolland toward him, had not given him an opportunity of correcting the error he had unintentionally fallen into, which he had been desirous of doing. At the time of his appointment by Sir Charles Bagot, his health had been in the same precarious state as now, he had made known that circumstance to the late Governor General, but it had not prevented his appointment. He considered that he had done good service to the country, and although not able frequently to attend upon the Bench, yet, at his chambers, he had ever been ready to forward the business before the Court; and he believed that he had, in his official capacity, given general satisfaction, and he leaving the Bench would be regretted by the country generally.

In this state the matter remained up to the 27th¹⁴⁰ April, 1846,¹⁴¹ when the Government received another application from Judge Rolland, setting forth that his health had become so much impaired by the application to the increased duties of his office, caused by the absence of the Chief Justice, that he could no longer continue to occupy the position he did, and that unless a relaxation were afforded him he should be compelled to resign unconditionally, leaving his claim to retiring pension to be settled at a future time. That it had been the intention of Puisne Judges to address the Government on the subject, but, as Judge Gale declined joining in the address, while he admitted the necessity of an alteration, that course had not been taken. In consequence of this letter, and the probability of the state of the Judicature being rendered still more inefficient by the retirement of one, if not two, more Judges, the Administration felt it their duty to again urge upon the Chief Justice the policy of his resignation, with the understanding that they were prepared to recommend to Parliament such a provision for him, as his great services and high position entitled him. The correspondence thus opened terminated upon the 2nd of May, in the Chief Justice declining to retire, on the grounds that the infirm state of his health had not prevented his appointment although known at the time, that he had laboured hard and had done good service

to the country, and he believed his retirement would be deprecated by all parties who had business before the Court. Ministers therefore felt it their duty to lay this correspondence before the House, and take its advice upon the subject.¹⁴² In order to put it in possession of the whole facts, they applied to the prothonotary for a statement of the several absences of the Chief Justice from his appointment to the present time.

In forwarding that return, these prothonotaries stated that the Chief Justice never attended during the Inferior term, nor in the En-quette during the vacation, nor in the latter was it usual for the Chief Justice to do so, nor at his Chambers during that period, but that he willingly and cheerfully transacted business at his own house.

These were the facts of the case, and without charging anything against the Chief Justice, without an imputation of any nature against him, Ministers felt that after the complaints which had been made it was their duty to submit the case to the House for its decision on what course should be pursued to remedy evils that no matter how they arose, certainly did exist, and which threatened to destroy altogether the efficiency of the Bench of Montreal. He brought forward no charge, but he sought an investigation of the whole matter that the Government might be relieved of the responsibility they would have incurred if they remained silent.¹⁴³

(200)

Administra- The Honourable Mr. Attorney General Smith
tion of Justice, moved, seconded by the Honourable Mr. Cayley, that
Montreal. a Select Committee, composed of the Honourable Mr.
 Attorney General Smith, Mr. Solicitor General Tas-
chereau, the Honourable Mr. DeBleury, Mr. Macdonald of Kingston, the
Honourable Mr. LaFontaine, the Honourable Mr. Aylwin, and Mr. Drummond,
be appointed to enquire into the state of the administration of Jus-
tice in the District of Montreal, in the Superior Courts thereof,
with a view of providing for the more efficient administration of
Justice therein, to report thereon with all convenient speed; with
power to send for persons, papers, and records.

He, MR. AT. GEN. SMITH, followed the course adopted in England on such occasions, in support of which he cited at some length the case of Sir J. Barrington, and Baron Smith. The latter case, in particular, seemed to him to apply more directly. Baron Smith was charged by Mr. O'Connell with late attendance in Court and with protracting its sittings until morning, and also with mingling politics with his Jury charges. Mr. O'Connell thereupon made a similar motion to that before the House, and a Select Committee was granted to investigate the matter. The charge against Sir J. Barrington was one of corruption, contained in a report of a Commission, and that report was, upon motion, referred to a Select Committee, although the matter had not come before the Government in any more authentic form.¹⁴⁴ ((These were the)) precedents for the course he was taking, there being this difference, however, he said, that the two Judges he had named had been accused of misconduct; whereas the present enquiry only related to the ineffi-

ciency of the Bench, caused by the affliction with which Providence had thought fit to visit one of its members.¹⁴⁵

He again repeated that he sought investigation as much for the sake of the Chief Justice as for any other occasion; and the Government would not have done its duty if it had not brought the matter at once before the House, that the evils threatening to spring out of it might be averted and the efficiency of so important a branch of the public service be maintained.¹⁴⁶

MR. LAFONTAINE spoke at some length in French, and referred to periods preceding the appointment of Chief Justice Vallieres to shew that other Judges had not attended more punctually and some not so much so.¹⁴⁷ During that time the Chief Justice was frequently incapacitated (sic) from attending to his duties on the Bench of Three Rivers by severe illness, and ... this was well known at the time of his appointment¹⁴⁸, and was not then considered an objection.¹⁴⁹ He had no doubt that if the Chief Justice had remained at Three Rivers there (sic) complaints would never have been heard against him. He lauded the great talents of the Chief Justice, and the important services which he had rendered to the country, although not always on the Bench. It had never been usual for the Chief Justice to sit during the Inferior Term. He did not wish to make any personal reflection upon Judge Rolland, but while he confessed that that learned Judge was a most efficient officer, yet he could not help imputing some part of the complaints against the Chief Justice to that infirmity of temper which had rendered Judge Rolland so unpopular with the Bar, an unpopularity which was manifest at a meeting of the Bar, in 1842. Believing that the public and the Bar would have to regret the retirement of Judge Vallieres, he could not vote for the motion.¹⁵⁰

MR. AYLWIN confessed that it was with surprise and even pain that he saw his hon. friend ((the Attorney General)) adopt this course, with respect to the Hon. Chief Justice, for it would appear that the precedents he had read were levelled against that hon. gentleman.¹⁵¹

MR. AT. GEN. SMITH thought the hon. member must have misunderstood him. His position was a delicate one, open perhaps to accusation. But he had acted from pure motives, and a desire to lay any charge brought against a judge before Parliament, not from any personal feelings, in fact he did not make it a party question even, and he would ask what other course could he take.¹⁵²

MR. AYLWIN, was the last man to impugn the motives of the hon. member, and had not done so. (Hear, hear, hear.) He could assure that hon. member that his objections were of a different nature altogether. It appeared to him, that the whole of the proceedings were in the shape of a charge or accusation against the Hon. Chief Justice. Mention had been made of Sir Jonah Barrington and Baron Smith, men notoriously guilty of corrupt and improper conduct, and in this he saw that the Government had not taken the correct course. There was in reality no charge brought against Mr. Vallieres. Because a man by the visitation of providence was unable to attend Court, was he to be disposed of in the same manner as a corrupt Judge, or one who made use of his physical

strength in the character of Judge, to oppress men of different political principles? If it be true that the illness of Mr. Vallieres be such as to deprive the country of his services at times, what should be the course taken by the Government? They ought to bring in a bill, appointing another Judge making five instead of four, and thus not wound the feelings of the hon. gentleman by the odium of a removal. He must confess he was unable to understand the nature of the accusation. A complaint was made that the Chief was declining in year (sic) and infirm in health, by another Judge, but surely no one wanted Mr. Rolland to perform the duties of that hon. gentleman and his own too. Not at all. All that was required of Mr. Rolland was that he should perform his own duties, and he must say, that he could not see any necessity for the reference that gentleman had made to the Chief Justice, and after hearing this correspondence read it did appear that it was intended to make use of a common expression to crowd the Chief Justice off the bench¹⁵³, to shoulder the Chief Justice off his seat, and to place--some one else there.¹⁵⁴ But with respect to the manner in which this case was introduced, he would compare it with the proceedings referred to by the Hon. Attorney General in the Imperial Parliament. Even in the case of Sir Jonah Barrington it was not the Government, who took that odious duty on them, as had been stated it was an independent member.¹⁵⁵

MR. GOWAN. - It was the Secretary of Ireland.¹⁵⁶

MR. AYLWIN. - The hon. gentleman interrupted. He could wish he would reserve his remarks for a more fitting opportunity.¹⁵⁷ It was not brought forward as a measure of the Administration.¹⁵⁸ In the case of Sir Jonah Barrington the charge was not founded on a private correspondence but on the report of a commission, of which the House was bound to take cognisance (sic). This is not the case here but it alleged that the administration of justice is impeded and if that were the case and if the Government required any assistance in money it is the duty of the House to vote what is required for the public service. It is the duty of the Government to discover whether the administration of justice is as effective as it should be, and if in truth it is not and this arises merely from the ill health of a Judge, then he ought to be granted a retiring allowance, or else a fifth Judge should be provided to aid in the discharge of the duties. He again said that he regretted the Government had taken this course, because all the papers read by the Attorney General must necessarily appear on the Journals. It was true the Hon. Chief Justice had nothing to fear from this correspondence it reflected on him the highest credit; but, and he regretted being obliged to say so, the letters of another Judge were far from reflecting credit on him, and he would hereafter have to regret that they were ever read or ever published. He (Mr. A.) had introduced a bill to take and put it out of the power of the Government to remove a Judge for political opinions. That bill passed into a law, but what was the use of such a law, it was totally in vain, if by a side blow the same power still remained of thrusting a Judge off the bench, which was formerly accomplished openly, and if it could not be done fairly

and openly, he had hoped that it would never be attempted otherwise. As to what had been asserted that the Chief Justice was incompetent to act from age, he would ask was it by any means singular in Britain, to see an old¹⁵⁹ and decrepit¹⁶⁰ Judge still retain his seat on the bench, ((1))ong after he was incapable of rendering effective service? Was it singular to see a Judge in the position he had just mentioned making stipulations with the Government and dying hard? And did the Imperial Government ever attempt to thrust him off the bench under such circumstances? - No! And why not? Because they understood these matters too well in England. No attempts are there made to injure the character of a Judge, all references to him are made with the highest respect, and for good reasons. For if the man whose duty it is to decide on our property and our lives is not treated with reverence and honour, how is it to be expected that his decisions will be respected. And it is more especially the duty of the Government to shield that man from calumny. It would be far better to preserve the respect due to the office that trifling matters should be passed then (sic) to make as the ground of accusation an equivocal case like the present, in fact it was far worse, it was not even equivocal this hon. gentleman being prevented from attending ... to duties by a visitation of providence. When he (Mr. A.) was a stripling (sic) he first saw that hon. gentleman at the head of his profession the leader of the bar, he then saw¹⁶¹ when Judge Vallieres differed with two Judges, and thus braved suspension,¹⁶² and how many would have done this in support of their opinions!¹⁶³ He thought such conduct deserved consideration.¹⁶⁴ He regretted the appeal made by the Hon. Attorney General to the Prothonotaries, for although it was true they kept the records of the Court, he would much rather have seen the application made by the Colleagues of the hon. gentleman, for the Prothonotaries (sic) were the servants of the Court and this looked like the commencement of a system of espionage. There were Judges in Lower Canada and he supposed in Upper Canada also who would not have suffered any such communications to take place between the Prothonotaries and the Government. He would have been told. "Sir! - You are the servant of this Court, and have nothing to do with the Government."¹⁶⁵ He thought the application made to the Prothonotaries in bad taste.¹⁶⁶ But as this report had been made, what did it establish? He had not himself the honour to practise in the District of Montreal, but he placed (sic) great confidence in the statements of his hon. friend from Terrebonne, and there were other hon. members present who practised in the Montreal Courts, and who all seemed to think that although Chief Justice Vallieres did not attend Courts as frequently as other Judges in the enjoyment of better health, he went through quite as much business as those who made this complaint to Government, as it appeared to him merely in order to have this beautiful correspondence laid before the House. Now Judges in Canada may complain that they have very heavy duties to perform, but he would tell them that in no other country was their duty so light or were they so well paid. He did not refer to Upper Canada not being sufficiently acquainted with it, but to Lower Canada, and he would tell them to look at the next State, the State of Vermont, where the duties were far more severe & the salary less than \$1,300 per annum. Then go to the state of New York, and you will find

the Judges constantly engaged in business. Was this the case in Canada? Not at all.¹⁶⁷ He would say that no Judges had so little to do, and received so much for it, as the Judges of Lower Canada¹⁶⁸, ((and)) no Judge had so little to do as Judge Rolland, and was paid so much for it.¹⁶⁹ He would speak of his own District, there the Judges go into Court about ten in the morning and generally manage to get away at two, and all he would say was that they performed precious little for their salaries.¹⁷⁰ He thought too that there was something invidious in choosing one Judge to whom to extend this treatment,¹⁷¹ and he would call on his Hon. Colleagues from the city of Quebec, and his hon. friend from the county of Quebec, and he would ask them if the Chief Justice was not frequently absent from Court. (Hear, hear.) When it was necessary to draw up the Union Act, that gentleman came up to Montreal and finally found his way into Upper Canada where he remained as long as he pleased. If an enquiry were required into the administration of Justice in the District of Montreal was there not the same necessity in the District of Quebec? If the registry of Quebec were looked into, and absence, mere absence from Court, the criterion, if one Chief Justice were disposed of, they would have to do the same with another. The same rule should be held in all such cases, but he did not think that formed a sufficient reason for forcing a Judge to retire. If Mr. Rolland found ~~it~~ so difficult to preside over the Court, he would ask how was it that two Judges had sat in Quebec for years? How was it the two other Judges whose health was not enfeebled did not assist, and relieve Mr. Rolland whose life was of such great value to himself and his family. He knew there were disputes and bickerings among the Judges, but that should not be the case, and he would say that that should form a ground for the Chief Justice he believed that he could safely say that although suffering under sever bodily infirmity, he was willing to give his Colleagues every assistance. And where would they find a man so able, of such judgment and ready wit? Where would they find a man who had received so many honorable testimonials from his country, or who has enjoyed more of its confidence than Mr. Vallieres? How often had he seen that hon. gentleman returned for the city of Quebec with the approbation of all parties? Where was the man who had so many sincere friends and so few enemies? He was pleased to hear read from one of the letters of that hon. gentleman, the observation that when he took his departure from the Bench, he would be generally regretted. He would be regretted, and he (Mr. A.) hoped he would be regretted not only by the Bar, but also by his Colleagues. He could wish that it was possible for the Hon. Attorney General to withdraw his motion and take a course in his (Mr. A.) opinion more correct, and as one of the opposition, he would assure him that he would be prepared to vote any sum of money reeuired (sic) by him¹⁷² to place a fifth Judge on the bench, but he thought he would not be doing justice to the country or to those principles which induced him to introduce the bill for securing the independence of the Judges if he voted for the motion before the House.¹⁷³ With reference to party grounds, he regretted that word had been mentioned. He looked on it as no party or political question, and as Judges he hoped they had

nothing to with political matters, but if it could be proved that they had done so he would say let that form the object of complaint, and let the Government then suspend them from their offices. But as that was not the case, he was prepared to vote for any sum of money required for the appointment of a fifth Judge, he repeated that his objection was to the course taken by the Government on this occasion.¹⁷⁴

MR. DEBLEURY fully (sic) coincided with the remarks made as to the talents of the learned Chief Justice of the District of Montreal whose name has been so unceremoniously brought before the public by his inferiors, the Puisne Judges.¹⁷⁵ ((He)) hoped that there would be no opposition to this motion, but that a committee would be appointed to enquire into the state of the Judicature in the District of Montreal, convinced that the Chief Justice, no matter what charges had been made against him, had nothing to fear from such enquiry. He believed that the Chief Justice would come out from that investigation with increased honor, that he would be in every way victorious¹⁷⁶, and that some other Judges would find them in a very unenviable position.¹⁷⁷ He was happy that this enquete, was going to take place, for he was confident that the conduct of certain of the Puisne Judges would appear to far greater disadvantage than would that of the Chief Justice. He hoped that the members opposite would vote for the motion as it was general, and as no fear need be entertained as to the Chief Justice coming out unscathed. He said that he would not enter into any details as it would take too long, but if he were to do so he could adduce facts which would redound little to the credit of some of the Puisne Judges.¹⁷⁸ There had been complaints made against other Judges, and he wished to see these investigated. He thought it was not right for the Government to encourage complaints made by the inferior Judges against their superior.¹⁷⁹

MR. ERMATINGER, had paid some attention to the debate as it progressed; and it appeared to him from the evidence adduced that it was wished to get rid of the Chief Justice on account of ill health, now he thought the ministry would have a far better case with which to come before this House, if they had taken up the case to which he had referred on a former occasion; he considered that the question ought not to be, to get rid of a Judge on account of ill health, but to get rid of an inferior Judge, who impeded by his incapacity the course of Judicial business. He had heard a high eulogy passed by the hon. members opposite on the judgment and talents of the Chief Justice, but he did not require to be told that such was the case, for the name of the Chief Justice was renowned all over the North American continent; the fame of his transcendent abilities had reached the far West. The letters go to show that he was often afflicted with ill health and that on these occasions leave of absence was asked for and granted; in the case however that he had adduced, he did not come before the House without a distinct charge. If such a Judge as he had referred to was placed in Montreal, no time would be lost in getting him removed, but because he is placed over a poor and humble people, he is allowed to remain. He had submitted a case of misconduct arising from want of capacity and judgment, to which the present bears no comparison, for the Chief

Justice of the District of Montreal, is fully competent, and altho' often unable to give his attendance in Court, performs a vast amount of judicial work in his own study. - He was not prepared to vote for the present motion till a stronger case has been shown, than was yet before the House.¹⁸⁰

MR. DRUMMOND could not, after all that had been said, refrain from offering a few observations; he owed to his convictions and feelings as a member of the Montreal bar, as well as to his position in that House, to express his views of the important motion under discussion.¹⁸¹ Although the Chief Justice might not, from the state of his health, appear upon the Bench as often as his brethren, yet perhaps he did actually more business.¹⁸² It was a positive fact, that although Chief Justice Vallieres had ... been occasionally absent from the Bench, he had during that absence performed a large amount of most important public duty. He was absent one¹⁸³ or two terms¹⁸⁴ but what was the consequence?¹⁸⁵ He was not unemployed during his absence, but afterwards,¹⁸⁶ the next term¹⁸⁷, when he came down to Court, he brought with him many important decisions upon intricate questions, which had stood over for terms, and might have stood for years¹⁸⁸ had he not found time in his retirement to unravel them and expose their true bearing.¹⁸⁹ He shed round them the light of his splendid intellect, and unravelled difficulties which others did not dare approach.¹⁹⁰ Although, then, it was true that the voice of the Chief Justice was not heard so often, and certainly not so loudly, upon the Bench as that of others, it was nevertheless the fact, as had been well stated by the hon. and learned member for Terrebonne, that he daily rendered the most valuable services.¹⁹¹ He thought the course which had been taken by the Government was not a fair one towards the Chief Justice.¹⁹² He (Mr. Drummond) regretted that any Puisne Judge should have been encouraged to urge complaints against Judge Vallieres; that was not the first attempt of the kind that was made ... against the distinguished Chief Justice; the former intrigue had failed, and therefore it was, he (Mr. D) presumed, that the second was made with such marked pertinacity. It was also painful to see that the very servants of the Judge, the Prothonotaries of the Court, had been applied to for information against him.¹⁹³ The return of those gentlemen had exhibited a number of cases of absence of the Chief Justice from the Bench, but they had not mentioned the leave of absence which he had had during the time,¹⁹⁴ neither was any thing said of the long absence of a Puisne Judge since the appointment of Judge Valliers (sic). That learned Judge was absent not on account of ill health, but for pleasure, merely to visit countries of Europe¹⁹⁵ to enable him to see France, Switzerland, and other countries on that continent¹⁹⁶ which he had not seen before; he also pressed for, and at length obtained, another leave last year, nor did it appear that his absence then was caused by the state of his health¹⁹⁷, yet the Prothonotaries were not called on to record how often he had been absent from Court¹⁹⁸. He (Mr. D) thought that when the officers of the Court were called upon to report respecting the efficiency of the Bench, it would be only fair play that their instructions ((be)) extended not alone to the at-

tendance of one Judge, but to that of all, in order that if blame existed, each might get his due proportion.¹⁹⁹ He could not vote for a motion which would establish so dangerous a precedent as this²⁰⁰. He (Mr D.) hoped that whatever might be the result of the proposed enquiry, that one important principle would be strictly borne in mind, and that was that no Puisne Judge should be promoted to the place of Chief Justice; that was a principle well settled in England, and it was of the last importance to the honor and efficiency of the Bench, for if the contrary were admitted, it would²⁰¹ be pregnant with evils of the greatest magnitude; it would destroy the confidence and harmony of the Bench; it would be an inducement for the Puisne Judges to become spies upon their superior; it would make them forget their duties, and encourage them to grow against their superior²⁰² whose places they were encouraged to hope for.²⁰³ It would bring about a state of things of which too much had already been seen in Lower Canada, when not only was there growling, but the Chief Justice was found attempting to intimidate the Puisne Judges, and the Bench had been disgraced by scenes of contention in open Court.²⁰⁴ He (Mr. Drummond) would not vote for the motion before the House, because he regarded it as an indirect attempt at the removal of Chief Justice Vallieres. He knew that the departure of that most distinguished man would be received with the deepest regret by all whose duty it was to attend at the Courts either as Advocates or Suitors²⁰⁵ ((and)) the inhabitants of the District of Montreal;--²⁰⁶ he knew that when the vieldictory (sic) of Vallieres de St. Real was pronounced, the glory of the Bench and Bar would depart, a gloom would hang over the scene of his labours,²⁰⁷ ((and)) would spread over the Bar, and the people of the whole District²⁰⁸, and the public would mourn as for the loss of a benefactor. The appointment of Chief Justice Vallieres to the Bench was regarded as a boon, and the experience of those who practised in the Courts in which he presided had heightened their love of his amiability and their admiration of his great mind²⁰⁹. As an Advocate, he had had frequent occasion to admire²¹⁰ that mind which he (Mr. D) scarcely knew how to describe except by the term of supernatural, such were its rare qualities ... its brilliancy and acuteness²¹¹, the quickness with which it grappled ... and analysed the difficulties of an intricate question, and the wonderful judgment with which he brought forth its merits²¹². Nor were the qualities of his heart less to be prized than those of his mind, they were alike elevated and admirable. He (Mr. D) knew no man who united within himself to a greater extent the suaviter in modo with the fortiter in re than did Chief Justice Vallieres; he could assure that House that whenever the Chief Justice ascended the Bench, a smile of satisfaction²¹³ ((and)) of pleasure²¹⁴ prevailed throughout the Court, there was that day no trammelling of the bar,²¹⁵ no impatience shown,²¹⁶ no coarse or unmannerly interruptions, and (sic) who waited upon the decisions of the court went away satisfied that Justice had been administered in that calm and dignified spirit which alone became, and ought to accompany it.²¹⁷ In conclusion, without supposing the Attorney General (East) intended any reflection by so doing, yet he considered that the cases chosen to support the

motion were unfortunate; - the name of Vallieres de St. Real should never have been associated with a charge of corruption.²¹⁸ He (Mr. Drummond) would give his determined opposition to the motion.²¹⁹

MR. BALDWIN said, it might appear strange that he should interfere in the question before the House, but his apology was that they were enquiring into one of the gravest questions that could possibly come before them.²²⁰ ((He)) gave credit to the hon. Attorney General for the best motives, in the course which he had adopted, for he could readily understand that the public eye would naturally be directed to that hon. gentleman as the party from whom redress should be expected.²²¹ He could enter into the feelings of the hon. Attorney General, whose duty it was to move in the matter; and who, according to English practice, would, as had been observed by the hon. member for Portneuf, be looked to as the probable successor of the present Chief Justice; he (Mr. B) could appreciate the delicacy arising out of the latter circumstance, which was no doubt felt by the hon. Attorney General, and he would say that whoever might charge the learned gentleman with an improper design he (Mr. B) did not. Neither did he (Mr. B) complain of the manner in which the question was put before the House; his only objection was that the precedent referred to was not followed out by allowing the question to remain some time before the House before the consequent motion was submitted. Under these circumstances, he was taken by surprise, and would only judge of the justice of the case by the papers that had been read. He (Mr. B) had asked himself what appeared on the face of these papers to warrant the course proposed. He remembered that in the late case of the Middlesex Judge, the Government positively refused to act unless the charge advanced was sustained, and were they going to act with less caution towards a man who was admitted to be one of the greatest ornaments of his profession, and a blessing to his country. He (Mr. B) did not note down the particulars of the absence complained of, but it certainly appeared to him²²² ((that)) the Chief Justice of Upper Canada had been properly allowed leave of absence during much longer periods than those specified by the Prothonotaries in the case of Judge Vallieres.²²³ At all events, the inconvenience was trifling compared with the great services which it appeared had been rendered, and are still being rendered by the Chief Justice in chambers. He (Mr. B) could not see at what the hon. Attorney General was aiming. It certainly could not be contemplated to remove the Judge without fixing a suitable pension. The correspondence did not shew what was meant to be done, no precise course ((was)) marked out. One of the propositions mentioned in the House was the appointment of another Judge; it appeared to him (Mr. B) that there would be no more expense in that than in providing a suitable retiring allowance for the Chief Justice.²²⁴ Believing that he was bound to vote against a motion affecting an inferior Judge when it had been before the House a few nights since, he felt much more called upon to oppose the present motion, when so dignified a Judge, was concerned. He thought that the independence of the Judges could not be secured, unless such proceedings as these were discountenanced; and the manner of the correspondence, alone, would induce him to pause before he agreed to the motion before the House.²²⁵ Inasmuch, then, as the

documents before the House did not shew a case which called for any direct action against the Chief Justice, and considering the amount of difficulty in the manner in which the question came before the House, and above all the great danger of a bad precedent, he (Mr. B) did not feel justified in giving his assent to the motion.²²⁶

MR. AT. GEN. DRAPER - said he was called up by the observations of the hon. member for the Fourth Riding of York. No one felt the importance of this question more than he did, for every hon. member in the House must be aware how necessary it was in every case where the administration of justice was concerned, to secure as efficient a system as possible. He regretted however, that he had delayed so long in consequence of the observations made by the hon. member for Middlesex, who would find when the proper moment came that the Government were not negligent. With respect to what had fallen from hon. members on the other side of the House, he would say that²²⁷ the question had been misunderstood; the Government brought no charge against the Chief Justice; they had imputed nothing against that officer. He was proud of the part he (Mr. D) had taken in placing him in the high position he occupied; he responded to the eulogy which had been passed upon him; he did full justice to his high qualities.²²⁸ That hon. gentleman appeared to be held in the highest esteem by all whom he had heard speaking of him,²²⁹ he did full justice to his high qualities. The question before the House alleged nothing against these.²³⁰ Therefore, whatever hon. gentlemen on the other side of the House might think, he could assure them that he would never have been a party to a scheme to "crowd" him off the bench. But the Government was placed in this position; they had not one, but repeated charges made to them of the inefficiency of the Administration of Justice in the District of Montreal. A Judge who ought to be well acquainted with the course adopted here, had made repeated complaints of the difficulties encountered by him, and the Government felt it necessary to adopt some measures to render his duties lighter.²³¹ The evil had at length become so great as to threaten to deprive the country of the services of another Judge, whose abilities, business habits, and physical strength, did not justify the Government in asking that House to provide for him in his resignation.²³² What then could the Administration do, which would be more respectful to the learned Chief Justice than the course it was adopting. It had informed the other learned Judge that it could not come down and ask for a provision for his retirement, because he did not represent himself to be incapable of fulfilling the duties of his office; and it had been answered by renewed complaints by another of the Puisne Judges.²³³ It was then, when the Chief Justice was pointed out as the cause of the inefficiency of the Administration of Justice, that the Government felt bound to²³⁴ communicate with ((him)) the Chief Justice,²³⁵ ((and)) ask the resignation of that officer, which had been done in terms most complimentary to him, and with an acknowledged disposition to recommend to the House such a provision for him as the high position and his great services entitled him to expect. Ministers were prepared to do that for him which they were not prepared to do for the other. That

offer had been refused, and the result was now before the House.²³⁶ What other course then remained to the Government than that taken by his hon. friend.²³⁷ If this motion carried with it any imputation against the Chief Justice, if it conveyed any censure, if it detracted in any one way from the honour and merit of that distinguished person, the House might rest assured that it would never have been brought forward, that the Government would never have sanctioned it and that he, least of all, would have been found raising his price in his favour.²³⁸ So far from attempting to throw any odium on the gentleman pointed out in the correspondence read to the House, his hon. friend had in the strongest manner expressed the opinion of the Government as to his high character, his ability and his claims arising from long services, but if it were really true that the hon. Chief Justice was incapacitated by illness or age from performing his duty, then of course the Government must be prepared to come down to the House with a distinct proposition. There was no attack on the character of the Chief Justice, either in the correspondence read by his hon. friend or in the course he had taken with respect to it, and he (Mr. D.) fully concurred with hon. member for Quebec, that the Government was bound to protect the Judges. But was there any thing in the correspondence on the part of the Government which showed a want of proper consideration, was the motion one of attack?²³⁹ He thought not.²⁴⁰ If it could be so interpreted, he would take on himself to say that the hon. Attorney General would never have brought it forward, and it would never have been received by that side of the House.²⁴¹ That learned Judge had considered that he was able, still, to fulfil his duties, and thought that his ill health ought not to be considered a greater disqualification now, than it was when he accepted office, after expressly calling the attention of the Government to his infirm condition. The duty of the Administration after that, was clear, it was their business, as they had no power to decide, themselves, to bring the question before the only tribunal which had the power of doing so.²⁴² The Government fulfilled (sic) a duty incumbent upon it, a duty which it could not avoid, it laid before the House the complaints it had received, and without an opinion either to sanction or condemn any party concerned,²⁴³ asked for an enquiry into all the circumstances - not into the papers which had been laid before the House,²⁴⁴ asked that they might be referred to a tribunal responsible to their constituents, to that House and to the highest moral obligations to do justice.²⁴⁵ Their desire was to shew that they had not neglected - not to bring a charge against the Chief Justice - but a statement of the inefficiency of the Administration of Justice brought before the House, with a view to have it investigated by a Committee.²⁴⁶ He did not desire to bring forward one party and to screen another, he wished no limit to be put to the enquiry,²⁴⁷ they did not limit the investigation to Chief Justice Vallieres, but asked powers for that Committee to send for persons & papers, and then report on the present state of the administration of Justice in the District of Montreal,²⁴⁸ that a remedy might be proposed for evils which did exist, and with a determination, on the part of the Government, to do all in its power to give effect to whatever might be the recommendation of the Commit-

tee.²⁴⁹ He deprecated entirely the idea that the motion was made in the spirit of an attack, he could not do so too strongly. Their object was to make an inquiry whether the Administration of Justice was effective or not, he believed it was not, and would wish that the reasons should appear. The investigation they demanded was general. Let it be supposed that the Administration of Justice was not satisfactory, he did not mean to assert that such was the case, but he would suppose it, and that it arose from the inability of an honourable Judge to attend constantly, would not the report of the Committee in that case warrant the application of some remedy, perhaps the one suggested by the hon. member for Quebec, the appointment of a fifth Judge to assist in the discharge of those important duties²⁵⁰, or it might be some other, but some action was necessary when such numerous complaints were made. He could take no responsibility of advising action, because he had no power, but he did advise the House which had the power, to refer the matter to a committee who would give the subject the proper consideration with a view to removing the difficulty which must be allowed to exist.²⁵¹ His opinion was, that when the complaint was made to the Government that the Administration of Justice was not on a satisfactory footing, there was a good reason to believe that an accumulation of cases was taking place which will in time amount almost to a denial of justice, and as a member of the Government he would feel bound to ask for a Committee to investigate whether such really was the case or not, and would therefore support the motion.²⁵² He thought this course would be an act of justice to all parties.²⁵³

MR. AT. GEN. SMITH - said that some of his honourable friends appeared to be under the impression that his motion was intended as an attack on the Chief Justice, he rose to assure them it was nothing of the kind, but a desire on the part of the Government to have general inquiry made as to the Administration of Justice in the District of Montreal.²⁵⁴ The Government made no charge against the hon. Chief Justice, but only laid the charge made before the House, in order to have its decision upon the remedy that should be adopted for a difficulty which did exist.²⁵⁵ And he would ask, what other course could the Government take, when it was stated in the correspondence he had read that this hon. gentleman was incapacitated by infirmity for the performance of his duties.²⁵⁶ No other course could be adopted. The hon. gentleman then read from Hansard ... to show the British precedents for the course he was taking.²⁵⁷ Now on referring to the proceedings against Baron Smith in 1834, hon. gentlemen would find that the first charge brought against him by Mr. O'Connell was his irregular attendance at Court, in consequence of which returns were called for from the different counties for the purpose of shewing the number of hours the Judge sat. This was coupled with another charge of mingling political subjects in his charges to Juries. - Now as regards the first charge what difference and consequent obstruction of the course of justice was caused by the infirmity of the Judge. None at all. The parliamentary course would have been the same.²⁵⁸

DR. NELSON, stated that he was the medical attendant of the learned

Chief Justice, and also of one of the other judges, and if an investigation was to be held as to the physical health of the Chief Justice, he could have told the Attorney General that the learned Chief Justice was infirm, as he had attended him for several very severe attacks, and had had the opinion of his former medical attendant while at Three Rivers, but he could also tell him that there was generally a great reaction and that he recovered for a time a great degree of health - he had often been struck with amazement that after the severe attacks which he (the Chief Justice) had suffered, yet his bright and brilliant intellect never for a moment was affected. It had been said that the Chief Justice was in his dotage, now he (Dr. N.) had been accustomed to see him almost daily and he had never on any occasion seen a diminution in the power of his mental faculties, as a proof of this while suffering under very severe attacks, while his physical health was prostrated very low he had seen him in his bed, surrounded with very voluminous papers concerning some intricate law case, and others bearing on the subject lying on all sides of him. Such was the vigour of his intellect and his intimate acquaintance with law, that he could furnish data in a few days for a code of laws; which had taken a certain hon. gentleman 21 years to gather, and which after all proved an abortion. He felt it due to a certain other hon. judge to say that at the time he proceeded to the continent of Europe, he certainly saw countries that he never saw before, but that the real cause of his absence was that he had been advised to travel on account of the ill health of a fine promising boy; on the late occasion when he obtained leave of absence, he was far from being well, he was labouring under catarrhal affection. He believed from ((that)) which he had been told that there was an immense accumulation of business, he believed that it would soon be "confusion worse confounded," he considered that one or two more judges ought to be appointed.²⁵⁹

MR. MOFFATT, considered that the conduct of the judges ought not to be before a select committee unless some distinct and specific charge was adduced. He was however constrained to vote for the motion, as it was a well rumoured fact that justice was lamentably inefficient in the District of Montreal, and as the motion was general and not specific.²⁶⁰ ((He)) said that he thought the proper course was being adopted by Government, and that whatever remedy was adopted, it would have been equally necessary to lay before the House the facts detailed by the hon. Attorney Gen. (East).²⁶¹

(200)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Brooks, Cayley, Chalmers, Colville, Cummings, Daly, De-Bleury, Dickson, Attorney General Draper, Duggan, Foster, Gowan, Hale, Hall, Macdonald of CORNWALL, Macdonald of KINGSTON, Meyers, Moffatt, Monro, Papineau, Petrie, Riddell, Robinson, Scott, Seymour, Solicitor

General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, Webster, Williams, and Woods.--(35.)

NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bertrand, Cauchon, Chabot, Chauveau, Christie, Desaulniers, DeWitt, Drummond, Ermatinger, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Leslie, Macdonell of STORMONT, Méthot, Nelson, Powell, Price, Rousseau, Smith of WENTWORTH, Taché and Thompson.--(28.)

So it was carried in the affirmative,²⁶² and
Resolved, Accordingly.

On motion of Mr. Cauchon, seconded by Mr. Price,

Orleans and
Montmorency
Division.

Resolved, That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending the Act 8th Victoria, Chapter 28, intituled, "An Act to detach the Island of Orleans from the County of Montmorency, for the purposes of the Registration of Titles, and to establish a Registry Office in the said Island."

The House accordingly resolved itself into the said Committee.

Mr. Drummond took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Drummond reported that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

(201)

On motion of Mr. Cauchon, seconded by Mr. Taché,

Address,
Officers in
Provincial
Secretary's
Office.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying him to cause to be laid before this House, a Return of the names of all officers employed in the office of the Provincial Secretary, the period of their service, whether permanent or temporary, how long they have been employed, and the amount of their respective salaries.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

MR. J. A. MACDONALD (Kingston) moved for an address to Her Majesty praying for compensation to G. H. Ryland Esq., for the loss of his late office as clerk of the Legislative Council.²⁶³

MR. AT. GEN. DRAPER was obliged to oppose the motion on the ground that the address was so worded as to prevent him from giving his vote

in favour of the address without acting in opposition to the views he had been given last night. He could not tell the hon. gentleman for Kingston, what that hon. member would know hereafter, but he could say that the door was open, in a certain quarter for a favourable consideration of the question.²⁶⁴

MR. HALL ((spoke)) a few words.²⁶⁵

MR. AYLWIN said that after what had been said by the hon. Attorney General (West) he would advise the hon. member for Kingston to withdraw his motion. He must say that if he had been in the House the night before, he should have voted in the majority, for he did not think that the Province was bound to pay the recompense demanded but he thought considering the ample powers of Lord Sydenham, that the Home Government was bound to pay it.²⁶⁶

MR. GOWAN though((t)) it was absurd and unreasonable to expect to get anything from the British Government for compensating a Clerk of a Canadian Counsel (sic) The compensation was to be paid by the Province or not paid at all.²⁶⁷

MR. BERTHELOT thought that instead of Mr. Ryland being an injured man, he was a spoilt child - spoilt by every Administration. Mr. Ryland had expected to get a good berth, but his place did not turn out quite so good as was expected; then still like a spoilt child he got a better, which he (Mr. R.) thought was a very admirable compensation for what he had lost.²⁶⁸

Ultimately the motion was withdrawn ((by Mr. J. A. Macdonald)).²⁶⁹

(201)

On motion of Mr. Macdonald of Kingston, seconded by the Honourable Mr. Aylwin,

*Resolved, That the following humble Address be presented to the Queen's Most Excellent Majesty:*²⁷⁰

Address to Her
Majesty, G. H.
Ryland, Esq.

To the Queen's Most Excellent Majesty.
MOST GRACIOUS SOVEREIGN:

*We, Your Majesty's most dutiful and loyal subjects,
the Legislative Assembly of Canada, in Provincial
Parliament assembled, humbly beg leave to approach Your Majesty with
our renewed expression of devoted attachment to your Majesty's Royal
Person and Government.*

*We humbly beg leave to lay before Your Majesty the particulars of a
case of peculiar hardship by which a faithful subject of Your Majesty
has been seriously aggrieved.*

*Previous to the Union of the Provinces of Upper and Lower Canada,
the office of Clerk of the Executive Council of the latter Province
was held by George H. Ryland, Esquire, now Registrar of the County of
Montreal, who, upon the Union taking place, was sworn in as Clerk and
Registrar of the Executive Council of the United Province. Subsequently,
the late Lord Sydenham, the then Governor General, thought it necessary,*

on grounds of public policy, in a re-organization of that Body, to make several changes in the Constitution thereof, and to transfer many of the duties, which, up to that period, had been performed by the Clerk, to the President of the Council.

In order to effect this arrangement, the Governor General proposed to Mr. Ryland to surrender his appointment, and to accept in its stead the office of Registrar of the District of Quebec, at the same time guaranteeing to him an annual income from the emoluments thereof equal to the sum of £515 currency, which it was admitted he would be entitled to as a retiring allowance under the Imperial Statute 4 and 5 Victoria, chap. 29.

Mr. Ryland, on being thus guaranteed, and being assured that the emoluments of the Registrar under the Ordinance then lately passed, would amount for the first year to a very large sum, affording him ample compensation for the loss of the Council office, acceded to this proposal, and placed his situation at His Excellency's disposal. But he expressly stipulated, in his official acceptance of the new appointment, as well as in his answer to the circular of His Excellency Sir Richard Jackson, dated 8th Dec., 1841, "that in the event of the Registrarship of the District of Quebec not proving nearly equal in value to his appointment as Clerk of the Executive Council, the sum guaranteed was not to be considered as compensation in full, either for the loss of that office, or of his claim upon the Government." In consequence, however, of Lord Sydenham's decease, the Ordinance was not put in force in October, 1841, as had originally been determined, and it was not until January following that the law was promulgated. During this delay the Legislature altered the Ordinance, and in effect deprived Mr. Ryland of the advantage that he would have received from the law as it stood when he was first appointed; and notwithstanding his remonstrances, no steps were taken by the Executive to protect him under the arrangement previously entered into with him, and yet about the same time the Clerkship of the Council, which until then had remained vacant, was filled up, and Mr. Ryland thus prevented from returning to it, as he had originally stipulated in his acceptance of the Registrarship. Although Mr. Ryland was appointed under his arrangement with Lord Sydenham, Registrar of the District of Quebec, and although the emoluments of such appointment were insufficient to satisfy his just expectations, yet in addition to his other losses, he was obliged, by the passing of an Act during the Session of 1844, abolishing District Registrarships, to receive, instead, the situation of Registrar of the County of Quebec. And it is proved by the Report of the Commissioner appointed to examine into the several offices, by the Registry Ordinance, that this situation, instead of being one of profit to Mr. Ryland, has only been a source of labour and expense.

On the death of the late Registrar of Montreal, the Governor General proposed to Mr. Ryland that he should be transferred from the Quebec to the Montreal Registry office. In acceding to this proposal Mr. Ryland again stipulated that it should not be considered as in any way interfering with his claims under his previous arrangement with the

Government.

That this transfer has not benefited Mr. Ryland, is proved conclusively by the Report of Mr. Clark, the Commissioner to inspect the offices in the District of Montreal, dated the 7th April of this present year.

Thus it appears, that Mr. Ryland, by trusting to the guarantee of the late Governor General, has lost a lucrative office--has been deprived of all emolument from his substituted appointments--and is now threatened with the loss of his retiring allowance, which he would have had a right to claim, at the same time that other officers, similarly situated, were placed on the Pension List of the Country.

On a full consideration of the circumstances, the Legislative Assembly consider Mr. Ryland's case to be one of great hardship; that his claims, the justice of which has been officially recognized by the late Governor General, Lord Metcalf, ought not to be avoided or overlooked; and that he has a right to expect, that the contract entered into between him and the Governor General, of which he has performed his part, should be carried out, according to its terms, or, as that may now be impossible, that he should be fully compensated for the non-fulfilment thereof.

And we feel bound to declare our opinion, that the denial of compensation to Mr. Ryland, would be a breach of faith that would greatly weaken public confidence in the acts of Your Majesty's Representatives and Government in this Province.

We, therefore, humbly pray, that Your Majesty will be graciously pleased to take Mr. Ryland's case into Your most favourable consideration, and direct such measures to be taken, to grant him the justice he seeks, as Your Majesty may deem proper for that purpose.

Resolved, That the said draught of an Address be referred to a Select Committee, to examine the same, and to report thereon with all convenient speed; with power to send for persons, papers, and records; and that the said Committee be composed of Mr. Macdonald of Kingston, the Honourable Mr. Aylwin, Mr. Hale, Mr. Hall, and Mr. Williams.

(202)

Leave of
Absence.

Mr. Dickson moved, seconded by Mr. Smith of Frontenac, that Mr. Sherwood, of Brockville, have leave to absent himself from this House, from Saturday the ninth, until Monday the eighteenth instant, both days inclusive.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, Accordingly.

Member Ex-
cused for not
attending
Election
Committee.

According to Order, Henry Smith, Esquire, Member for the County of Frontenac, who was absent on Saturday last from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire,

Sitting Member for the County of Oxford, attended in his place in this House.

Mr. Smith of Frontenac rose in his place, and having given satisfactory reasons for not being present at the Meeting of the said Select Committee, and having verified the same upon oath,

On motion of Mr. Chauveau, seconded by Mr. Lantier,

Resolved, That Mr. Smith of Frontenac, having given satisfactory reasons for not being present on Saturday last, at the Meeting of the Select Committee for the trial of the Contested Election for the County of Oxford, and having verified the same upon oath, he be now excused for such non-attendance.

*Kingston
Incorporation
Bill.*

Mr. Seymour from the Committee of the whole House, on the re-committed Bill to incorporate the town of Kingston, as a City, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

*Quebec
Gas Bill.*

Mr. Duggan, from the Committee of the whole House, on the Bill for Lighting the City of Quebec with Gas, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

*Quebec
Water Bill.*

Mr. Dickson, from the Committee of the whole House, on the Bill for supplying the City of Quebec, and parts adjacent thereto with Water, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Attainder Bill.

The Order of the Day for the House in Committee on the Bill to restore the Rights of certain persons attainted for High Treason, being read;

The House accordingly resolved itself into the said Committee.

Mr. Roblin took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Roblin reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

*Agricultural
Society Bill,
(L. C.)*

The Order of the Day for the second reading of the Bill to allow the formation of more than one Agricultural Society in a County in Lower Canada,

and for the relief of the Society for the County of Montreal, being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Scott, Mr. DeWitt, Mr. Taché, Mr. Méthot, and the Honourable Mr. Laterrière, to report thereon with all convenient speed; with power to send for persons, papers and records.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of the Honourable Mr. Viger, seconded by the Honourable Mr. Attorney General Draper.

The House adjourned.

FOOTNOTES - 5 MAY 1846.

1. MONTREAL TRANSCRIPT, 9 May 1846, summarized the Report as follows: "The Committee recommended certain amendments in the Act for Incorporating the city of Montreal, amongst which was one to give authority relative to the election officers of the said Corporation."
2. The debate on this matter was reported by: MONTREAL GAZETTE, 7 May 1846; and MONTREAL TRANSCRIPT, 9 May 1846.
3. MONTREAL TRANSCRIPT, 9 May 1846.
4. IBID.
5. IBID.
6. IBID.
7. The debate on this matter was reported by: LE JOURNAL DE QUEBEC, 9 May 1846; PILOT, 7 May 1846; MONTREAL TRANSCRIPT, 9 May 1846, and KINGSTON NEWS, 11 May 1846, copying MONTREAL HERALD, in identical accounts; BATHURST COURIER, 19 May 1846, which noted it; MONTREAL GAZETTE, 7, 8 May 1846, in an account abbreviated but otherwise identical to that of BRITISH COLONIST, 12 May 1846; and MIRROR, 5 May 1846, PILOT, 9 May 1846, BATHURST COURIER, 19 May 1846, and BRITISH COLONIST, 14 May 1846, in identical accounts. MONTREAL TRANSCRIPT, 9 May 1846, and MONTREAL GAZETTE, 8 May 1846, contain an identical account of Sherwood's speech. There are commentaries in PILOT, 7 May 1846, and EXAMINER, 13 May 1846. The MONTREAL GAZETTE, 7 May 1846, commented: "Amidst a good deal of merriment, MR. HALL obtained leave to introduce a bill to incorporate an University to be called the University of Upper Canada." The PILOT, 7 May 1846, observed: "An animated debate ensued."
8. MIRROR, 5 May 1846.
9. IBID.
10. MONTREAL TRANSCRIPT, 9 May 1846.
11. IBID.
12. MIRROR, 5 May 1846.
13. IBID.
14. MONTREAL TRANSCRIPT, 9 May 1846.
15. IBID.
16. MIRROR, 5 May 1846.
17. IBID.
18. IBID.
19. IBID.
20. MONTREAL TRANSCRIPT, 9 May 1846.
21. MIRROR, 5 May 1846.
22. MONTREAL GAZETTE, 7 May 1846.
23. MIRROR, 5 May 1846.
24. IBID.
25. MONTREAL TRANSCRIPT, 9 May 1846.
26. MIRROR, 5 May 1846.
27. IBID. According to the MIRROR, Draper spoke "emphatically".
28. MIRROR, 5 May 1846.
29. IBID.
30. IBID.

31. IBID.
32. IBID.
33. MONTREAL TRANSCRIPT, 9 May 1846.
34. MIRROR, 5 May 1846.
35. LE JOURNAL DE QUEBEC, 9 May 1846.
36. MONTREAL GAZETTE, 7 May 1846, observed that Boulton put his motion again, after he had been interrupted by a number of other speakers.
37. MIRROR, 5 May 1846. According to the MIRROR, Smith spoke "with much warmth."
38. MONTREAL GAZETTE, 7 May 1846.
39. MONTREAL TRANSCRIPT, 9 May 1846.
40. MONTREAL GAZETTE, 7 May 1846.
41. LE JOURNAL DE QUEBEC, 9 May 1846.
42. MIRROR, 5 May 1846.
43. IBID.
44. MONTREAL GAZETTE, 7 May 1846.
45. MIRROR, 5 May 1846.
46. MONTREAL TRANSCRIPT, 9 May 1846.
47. MIRROR, 5 May 1846.
48. PILOT, 7 May 1846.
49. MIRROR, 5 May 1846.
50. PILOT, 7 May 1846.
51. MONTREAL GAZETTE, 7 May 1846.
52. BRITISH COLONIST, 14 May 1846.
53. The MIRROR, 5 May 1846, described Cauchon's speech as "animated"; the MONTREAL TRANSCRIPT, 9 May 1846, noted that he spoke "in a very loud voice"; and the MONTREAL GAZETTE, 7 May 1846, provided the following lengthy and very amusing account of the proceedings:

"We are sorry to say, that the House is showing symptoms of extreme loquacity. In proportion as the business of the country ought to be brought to a close, and men of business liberated to attend to their own, the love of talk seems to augment with the Members who seem to have no better employment than to detain those who have such. On Tuesday night, Mr. Cauchon first wearied, and then fairly emptied the House. While delivering his frothy inanities, Member after Member dropped off; and finally, we believe, the Ministerial Benches were left with only three occupants, and the Opposition Benches were almost equally thin; Mr. Baldwin even, a model of patience, first falling into a real or sham sleep, and then, in despair, getting up and joining one of the numerous groups that were wiling away their time by a sip of coffee, or (those who liked it) of something stronger, in Dolly's bar, or puffing away in the open gallery or the upper room sacred to the lovers of the weed. Dolly was literally smoked out; he had to dispatch a messenger for a fresh supply of cigars, - a fact. As soon as it was known that the Honourable Member for Montmorenci was down, the House filled again instantaneously. Not a note, that we could see, was taken - nor did a human being listen - but we have no doubt the oration will figure at full length in what the MINERVE facetiously calls its 'reports.' Many puns have been made on Mr. Cauchon's name,

but we are decidedly of opinion that he is not the 'little squeaker' to which he has been sometimes irreverently likened, but a full grown bore of the first magnitude, - of speech we mean. We are amused with the gruff, surly look with which Mr. Lafontaine scowls on him during these exhibitions, equally distasteful to all parties. It reminds us of nothing so much as the regards which Bruin, at a country fair, bestows on the interminable antics of Jocko over his back. It is the only bit of fun in this (the Parliamentary) exhibition; but when one gets positively to sympathise (sic) with Bruin - Mr. Lafontaine we mean - the fun ceases; it gets simply wearisome."

54. MIRROR, 5 May 1846.
55. MONTREAL TRANSCRIPT, 9 May 1846.
56. MONTREAL GAZETTE, 7 May 1846.
57. IBID.
58. IBID.
59. MIRROR, 5 May 1846.
60. IBID.
61. MONTREAL TRANSCRIPT, 9 May 1846.
62. MIRROR, 5 May 1846.
63. MONTREAL TRANSCRIPT, 9 May 1846.
64. MONTREAL GAZETTE, 7 May 1846.
65. MIRROR, 5 May 1846.
66. MONTREAL GAZETTE, 9 May 1846.
67. MIRROR, 5 May 1846.
68. MONTREAL GAZETTE, 7 May 1846.
69. MIRROR, 5 May 1846.
70. MONTREAL GAZETTE, 7 May 1846.
71. MIRROR, 5 May 1846.
72. MONTREAL GAZETTE, 7 May 1846.
73. MIRROR, 5 May 1846.
74. MONTREAL TRANSCRIPT, 9 May 1846.
75. MIRROR, 5 May 1846.
76. IBID.
77. IBID.
78. IBID.
79. IBID.
80. IBID.
81. MONTREAL GAZETTE, 7 May 1846.
82. MIRROR, 5 May 1846.
83. IBID.
84. IBID.
85. MONTREAL TRANSCRIPT, 9 May 1846.
86. MIRROR, 5 May 1846.
87. MONTREAL GAZETTE, 7 May 1846.
88. MIRROR, 5 May 1846.
89. MONTREAL GAZETTE, 8 May 1846.
90. MIRROR, 5 May 1846.
91. MONTREAL GAZETTE, 8 May 1846.
92. MIRROR, 5 May 1846.

93. MONTREAL GAZETTE, 8 May 1846.
94. PILOT, 7 May 1846.
95. MONTREAL GAZETTE, 8 May 1846.
96. MIRROR, 5 May 1846.
97. MONTREAL GAZETTE, 8 May 1846.
98. MIRROR, 5 May 1846.
99. MONTREAL GAZETTE, 8 May 1846.
100. MIRROR, 5 May 1846.
101. MONTREAL GAZETTE, 8 May 1846.
102. MIRROR, 5 May 1846.
103. MONTREAL GAZETTE, 8 May 1846.
104. MIRROR, 5 May 1846.
105. MONTREAL GAZETTE, 8 May 1846.
106. MIRROR, 5 May 1846.
107. MONTREAL GAZETTE, 8 May 1846.
108. MIRROR, 5 May 1846.
109. MONTREAL GAZETTE, 8 May 1846.
110. MIRROR, 5 May 1846.
111. MONTREAL GAZETTE, 8 May 1846.
112. MIRROR, 5 May 1846.
113. MONTREAL GAZETTE, 8 May 1846.
114. MIRROR, 5 May 1846.
115. MONTREAL GAZETTE, 8 May 1846.
116. MIRROR, 5 May 1846.
117. MONTREAL GAZETTE, 8 May 1846.
118. MIRROR, 5 May 1846.
119. MONTREAL GAZETTE, 8 May 1846.
120. MIRROR, 5 May 1846.
121. IBID.
122. MONTREAL TRANSCRIPT, 9 May 1846.
123. The debate on this motion was reported by: MIRROR, 5 May 1846, and PILOT, 9 May 1846, in identical accounts; LA MINERVE, 7 May 1846, whose account was copied by LE CANADIEN, 11 May 1846; MONTREAL GAZETTE, 7 May 1846, and LA MINERVE, 7 May 1846, in accounts identical in most respects except that the GAZETTE's report contains more speakers than LA MINERVE's and some of the GAZETTE's speeches are given in more detail than those in LA MINERVE; and MONTREAL TRANSCRIPT, 9 May 1846. There are commentaries in LE JOURNAL DE QUEBEC, 9 May 1846, and L'AUORE, 9 May 1846. The correspondent of the EXAMINER, 20 May 1846, observed in his report dated 6 May 1846: "Last night Attorney General Smith moved for a committee to investigate the administration of Justice in Montreal. This, very unexpectedly to the loungers below the Bar, of whom there were very few present, brought out all or nearly all the leading speakers of both sides of the House."
124. MONTREAL GAZETTE, 7 May 1846.
125. MIRROR, 5 May 1846.
126. MONTREAL GAZETTE, 7 May 1846.
127. MIRROR, 5 May 1846.

128. MONTREAL GAZETTE, 7 May 1846.
129. MIRROR, 5 May 1846.
130. MONTREAL GAZETTE, 7 May 1846.
131. MIRROR, 5 May 1846.
132. MONTREAL GAZETTE, 7 May 1846.
133. MIRROR, 5 May 1846.
134. MONTREAL GAZETTE, 7 May 1846.
135. MIRROR, 5 May 1846.
136. MONTREAL GAZETTE, 7 May 1846.
137. MONTREAL TRANSCRIPT, 9 May 1846.
138. MONTREAL GAZETTE, 7 May 1846.
139. MIRROR, 5 May 1846.
140. MONTREAL GAZETTE, 7 May 1846. The MIRROR, 5 May 1846, quoted the date as the 24 April 1846.
141. MONTREAL GAZETTE, 7 May 1846.
142. MIRROR, 5 May 1846.
143. MONTREAL GAZETTE, 7 May 1846.
144. IBID.
145. MONTREAL TRANSCRIPT, 9 May 1846.
146. MONTREAL GAZETTE, 7 May 1846.
147. MIRROR, 5 May 1846.
148. MONTREAL GAZETTE, 7 May 1846.
149. MIRROR, 5 May 1846.
150. MONTREAL GAZETTE, 7 May 1846.
151. MIRROR, 5 May 1846.
152. IBID.
153. IBID.
154. MONTREAL TRANSCRIPT, 9 May 1846.
155. MIRROR, 5 May 1846.
156. IBID.
157. IBID.
158. MONTREAL TRANSCRIPT, 9 May 1846.
159. MIRROR, 5 May 1846.
160. MONTREAL TRANSCRIPT, 9 May 1846.
161. MIRROR, 5 May 1846.
162. MONTREAL TRANSCRIPT, 9 May 1846.
163. MIRROR, 5 May 1846.
164. MONTREAL TRANSCRIPT, 9 May 1846.
165. MIRROR, 5 May 1846.
166. MONTREAL GAZETTE, 7 May 1846.
167. MIRROR, 5 May 1846.
168. MONTREAL TRANSCRIPT, 9 May 1846.
169. MONTREAL GAZETTE, 7 May 1846.
170. MIRROR, 5 May 1846.
171. MONTREAL TRANSCRIPT, 9 May 1846.
172. MIRROR, 5 May 1846.
173. MONTREAL TRANSCRIPT, 9 May 1846.
174. MIRROR, 5 May 1846.
175. IBID.
176. MONTREAL GAZETTE, 7 May 1846.

177. MONTREAL TRANSCRIPT, 9 May 1846.
178. MIRROR, 5 May 1846.
179. MONTREAL GAZETTE, 7 May 1846.
180. MIRROR, 5 May 1846.
181. IBID.
182. MONTREAL GAZETTE, 7 May 1846.
183. MIRROR, 5 May 1846.
184. MONTREAL TRANSCRIPT, 9 May 1846.
185. MIRROR, 5 May 1846.
186. MONTREAL GAZETTE, 7 May 1846.
187. MIRROR, 5 May 1846.
188. MONTREAL GAZETTE, 7 May 1846.
189. MIRROR, 5 May 1846.
190. MONTREAL GAZETTE, 7 May 1846.
191. MIRROR, 5 May 1846.
192. MONTREAL GAZETTE, 7 May 1846.
193. MIRROR, 5 May 1846.
194. MONTREAL TRANSCRIPT, 9 May 1846.
195. MIRROR, 5 May 1846.
196. MONTREAL GAZETTE, 7 May 1846.
197. MIRROR, 5 May 1846.
198. MONTREAL GAZETTE, 7 May 1846.
199. MIRROR, 5 May 1846.
200. MONTREAL GAZETTE, 7 May 1846.
201. MIRROR, 5 May 1846.
202. MONTREAL GAZETTE, 7 May 1846.
203. MIRROR, 5 May 1846.
204. MONTREAL GAZETTE, 7 May 1846.
205. MIRROR, 5 May 1846.
206. MONTREAL GAZETTE, 7 May 1846.
207. MIRROR, 5 May 1846.
208. MONTREAL GAZETTE, 7 May 1846.
209. MIRROR, 5 May 1846.
210. MONTREAL GAZETTE, 7 May 1846.
211. MIRROR, 5 May 1846.
212. MONTREAL GAZETTE, 7 May 1846.
213. MIRROR, 5 May 1846.
214. MONTREAL TRANSCRIPT, 9 May 1846.
215. MIRROR, 5 May 1846.
216. MONTREAL GAZETTE, 7 May 1846.
217. MIRROR, 5 May 1846.
218. MONTREAL GAZETTE, 7 May 1846.
219. MIRROR, 5 May 1846.
220. IBID.
221. MONTREAL TRANSCRIPT, 9 May 1846.
222. MIRROR, 5 May 1846.
223. MONTREAL TRANSCRIPT, 9 May 1846.
224. MIRROR, 5 May 1846.
225. MONTREAL TRANSCRIPT, 9 May 1846.

226. MIRROR, 5 May 1846.
227. IBID.
228. MONTREAL GAZETTE, 7 May 1846.
229. MIRROR, 5 May 1846.
230. MONTREAL GAZETTE, 7 May 1846.
231. MIRROR, 5 May 1846.
232. MONTREAL GAZETTE, 7 May 1846.
233. MONTREAL TRANSCRIPT, 9 May 1846.
234. MONTREAL GAZETTE, 7 May 1846.
235. MONTREAL TRANSCRIPT, 9 May 1846.
236. MONTREAL GAZETTE, 7 May 1846.
237. MIRROR, 5 May 1846.
238. MONTREAL GAZETTE, 7 May 1846.
239. MIRROR, 5 May 1846.
240. MONTREAL TRANSCRIPT, 9 May 1846.
241. MIRROR, 5 May 1846.
242. MONTREAL TRANSCRIPT, 9 May 1846.
243. MONTREAL GAZETTE, 7 May 1846.
244. MONTREAL TRANSCRIPT, 9 May 1846.
245. MONTREAL GAZETTE, 7 May 1846.
246. MIRROR, 5 May 1846.
247. MONTREAL GAZETTE, 7 May 1846.
248. MIRROR, 5 May 1846.
249. MONTREAL GAZETTE, 7 May 1846.
250. MIRROR, 5 May 1846.
251. MONTREAL TRANSCRIPT, 9 May 1846.
252. MIRROR, 5 May 1846.
253. MONTREAL GAZETTE, 7 May 1846.
254. MIRROR, 5 May 1846.
255. MONTREAL TRANSCRIPT, 9 May 1846.
256. MIRROR, 5 May 1846.
257. MONTREAL TRANSCRIPT, 9 May 1846.
258. MIRROR, 5 May 1846.
259. IBID.
260. IBID.
261. MONTREAL TRANSCRIPT, 9 May 1846.
262. The MIRROR, 5 May 1846, reported the votes as Yeas 35, Nays 40;
and the MONTREAL TRANSCRIPT, 9 May 1846, as Ayes 33, Nays 26.
263. MONTREAL TRANSCRIPT, 9 May 1846.
264. IBID.
265. IBID.
266. IBID.
267. IBID.
268. IBID.
269. IBID.
270. According to MONTREAL TRANSCRIPT, 9 May 1846: "The rest of the
business was gone through without discussion."

WEDNESDAY, 6 MAY 1846.¹

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Petitions laid
on the table.

THE following Petitions were severally brought up and laid on the table.

By Mr. Foster,--The Petition of Peter Church and others, of Brome, in the County of Shefford; and the Petition of J. Williams and others, of Farnham, in the County of Shefford.

By the Honourable Mr. Moffatt,--The Petition of the Reverend John Bethune and others, the Rector and Church Wardens of Christ's Church in the City of Montreal.

By the Honourable Mr. Baldwin,--The Petition of James Durand, Esquire.

By Mr. Ermatinger,--The Petition of William Hillis and others, of the District of London.

By the Honourable Mr. Aylwin,--The Petition of the Council of the Board of Trade of Quebec.

By Mr. Bertrand,--The Petition of the Reverend Thomas Destroismaisons and others, of St. Germain and Ste. Luce de Rimouski.

By Mr. Chauveau,--The Petition of E. Desbarats, Esquire, and others, Trustees of the Quebec Turnpike Roads.

By Mr. Hale,--The Petition of William Morris, Esquire, and others, members of the United Church of England and Ireland, in the Diocese of Quebec.

By Mr. Solicitor General Taschereau,--The Petition of Joseph Hamel, Esquire, and others, of the City of Quebec.

Kingston
Incorporation
Bill.

An Engrossed Bill to incorporate the Town of Kingston as a City, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald of Kingston do carry the said Bill to the Legislative Council, and desire their concurrence.

Quebec
Water Bill.

An Engrossed Bill for supplying the City of Quebec and parts adjacent with Water, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chabot do carry the said Bill to the Legislative Council, and desire their concurrence.

Quebec
Gas Bill.

An Engrossed Bill for Lighting the City of Quebec with Gas, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chabot, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following

Petitions were read:--

Of L. Lawrason, Esquire, and others, of the District of London; praying for the removal of the present holder of the offices of Judge of the District Court, Judge of the Division Courts, and Chairman of

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the Quarter Sessions of the said District.

Of James Bird, and others, of the Town of Peterborough and its vicinity; praying for a grant of money to enable them to rebuild the Bridge across the Otonabec River.

Of D. Campbell, M.D. and others, Medical Practitioners of Canada West; praying for the establishment of District Medical Societies, and of a Provincial Medical Board or Council.

Of A. Sanborn, Esquire, and others, of the Township of Roxton, in the County of Shefford; praying that the Clergy Reserve Lands may be sold, and their proceeds disposed of, as the Legislature may think fit.

Of William H. Bullock, and others, of Roxton, in the County of Shefford; praying that all classes may participate in the benefits of King's College, and that no aid be granted to McGill College, unless it is placed upon the same footing.

Of John Strickland, of the Township of Whitby, in the Home District; praying compensation for certain loss and injury sustained by him, in consequence of a portion of his land having been taken possession of by the Board of Works for the purposes of a Road.

Of W. Stewart Darling, and others, Members of the United Church of England and Ireland, in the Township of Scarborough, in the Diocese of Toronto, praying that measures may be adopted for vesting in the Church Society of the Diocese of Toronto, for the benefit of the said Church, such a portion of the Clergy Reserve Lands as shall correspond with their share of the income arising from the same.

Of William Caldwell, and others, of the Township of Reach, in the Home District; praying that the grant made last Session for the improvement of Simcoe Street, may be expended according to the original intention.

Of Thomas Proul, and others, of the Township of Sophiasburgh, in the District of Prince Edward; praying that certain Stone Monuments may be planted on the original survey.

Of John Roaf, and others, Office Bearers and Members of the Committee of the Temperance Reformation Society of the City of Toronto; praying that the traffic in intoxicating liquors may be restrained; and that certain alterations be made in the present system of Tavern Licenses.

Of W. B. Jarvis, Esquire, and others; praying for an Act of Incorporation to enable them to construct a Canal to unite the waters of Lake Superior, with those of Lake Huron.

Resolved, That the rule of this House, which limits the time for receiving Private Petitions, be suspended, as regards the said Petition.

Of Henry Miller, and others, of the Province of Canada, Commuted

Pensioners; praying for an Address to Her Majesty to re-allow their Pensions.

Of A. Adams, and others, inhabitants of the Township of Barnston; praying that no division be made of the Clergy Reserve Lands, but that they may be sold and their proceeds appropriated to the promotion of general education.

Of William Ramsay, and others, inhabitants of Kingston, who assemble in the Baptist Chapel; praying that the Imperial Act for the disposal of the Clergy Reserve Lands may not be interfered with.

Of the Reverend Thomas Phillips, of the Township of Etobicoke, in the Home District; praying for the continuance of his Salary as late Chaplain to the House of Assembly, and subsequently to the Legislative Council of Upper Canada.

Of J. Gamble Geddes and others, members of the United Church of England and Ireland, of the Town of Hamilton, in the Gore District, in the Diocese of Toronto; praying against the passing of any Bill which would destroy the religious character, or invade the chartered rights of the University of King's College.

Of J. Gamble Geddes and others, of the Town of Hamilton, in the Gore District, praying that the Church of England may have the control of its share of the Common School Funds.

Of Messieurs Gooderham and Worts and others, Distillers of the City of Toronto and Home District; praying against certain provisions of the Bill to impose a duty on Distillers, and upon the Spirituous Liquors made by them.

Of Hubert Bourassa, senior, of the Parish of Laprairie, Esquire, praying that the sum of thirty-four pounds be granted to him, as Appraiser of the value of certain Lands taken for the purposes of the Chambly Canal.

Of Mrs. Mary Allen, of Sherrington, in the County of Shefford, widow of the late James Allen; praying for a grant to relieve her present distress.

*Petitions
Referred:--*

Sir J. Stuart,

N. Austin.

*O. Peasley,
et al.*

Ordered, That the Petition of Sir James Stuart, of the City of Quebec, Baronet, and of Nicholas Austin, of the Township of Bolton, in the District of Montreal; and the Petition of Osgood Peasley and others, of the Township of Bolton, be referred to the Select Committee, to which was referred the Engrossed Bill from the Legislative Council, intituled, "An Act to facilitate the partition of Lands, Tenements, and Hereditaments in certain cases in Lower Canada."

J. Strickland. Resolved, That the Petition of John Strickland, of the Township of Whitby, in the Home District, be referred to a Select Committee, composed of Mr. Monro, the Honourable Mr. Robinson, Mr. Duggan, Mr. Cummings, and Mr. Macdonald of Cornwall, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

West Halton
Election.

Mr. Williams, from the Select Committee, appointed to try the merits of the Petition of James Durand, Esquire, complaining of the undue Election and Return of James Webster, Esquire, the Sitting Member for the West Riding of the County of Halton; presented to the House the Final Report of the said Committee,² which was again read at the Clerk's table, and is as followeth:--

1. Resolved, That there is no evidence before this Committee, sufficient to invalidate either the Election or Return of James Webster, Esquire, the Sitting Member for the West Riding of the County of Halton.
2. Resolved, That the Petition of James Durand against the Election and Return of the said James Webster is not frivolous or vexatious.
3. Resolved, That the defence to the said Petition by James Webster, Esquire, the Sitting Member, was not frivolous or vexatious.

Hochelaga
Municipality
Bill.

Mr. Leslie, from the Select Committee to which was referred the Bill to divide the Municipality of Hochelaga into five distinct Municipalities, and further to provide for the support of Schools, and the management of Local affairs therein, with an Instruction to the said Committee, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Friday next.

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F. H. Guay,
Esq. et al.

Mr. Solicitor General Taschereau, from the Select Committee to which was referred the Petition of F. H. Guay, Esquire, and others, of the Parish of St. Joseph de la Pointe Lévi and other Parishes, in the County of Dorchester, and another reference, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee, after having examined the Petitions referred to them, and the evidence in support thereof, are of opinion that the prayers of the said Petitions should be granted, and a Bill introduced to establish a Registry Office at St. Joseph de la Pointe Lévi, as near to the ferry as possible, and distinct and separate from that at present established at Ste. Marie, in the County of Dorchester, and that the Parish of St. Joseph de la Pointe Lévi, (with that part thereof which lies in the County of Bellechasse), the Parishes of St. Nicholas, St. Isidore, St. Henri, St. Anselme, and St. Jean Chrisostome, should be detached from their present Registry Offices, and united to the Registry Office which may be established in the Parish of St. Joseph de la Pointe Lévi.

Ordered, That the said Report be committed to a Committee of the whole House, on Tuesday next.

Private Bills.

Mr. Hale, from the Standing Committee on Private Bills, presented to the House the Thirteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Brockville Assessment Bill.

Your Committee have examined the Bill to provide for an assessment of Real and Personal Property in the Town of Brockville, according to the annual value or rental thereof, and for other purposes, and have made an amendment thereto, which they submit to your Honourable House.

G. H. Ryland, Esq.

Mr. Hale, in the absence of Mr. Macdonald of Kingston, from the Select Committee to which was referred the draught of an Address to Her Majesty, on the subject of the Petition of George H. Ryland, Esquire, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Your Committee have carefully examined the draught of an Address referred to them, and they beg leave to report the same amended, as follows:--

To the Queen's Most Excellent Majesty :Address to Her Majesty.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of Canada, in Provincial Parliament assembled, humbly beg leave to approach your Majesty with our renewed expression of devoted attachment to your Majesty's Royal Person and Government.

We humbly beg leave to lay before your Majesty the particulars of a case which has resulted in serious injury to the circumstances of a faithful subject of your Majesty, and which we beg permission to submit for your Majesty's gracious consideration.

Previous to the union of the Provinces of Upper and Lower Canada, in 1841, the office of Clerk of the Executive Council of the latter Province was held by George H. Ryland, Esquire, he having been appointed thereto in October 1838, and having succeeded his late respected father, who had held the same office for a long period of years--and Mr. Ryland continued in the performance of the duties of the same office under the Government of the United Province, having been sworn in as such in February, 1841.

The late Lord Sydenham, the then Governor General of the Province, in re-organizing the Executive Council, thought it proper to make several changes in the constitution of the Executive Council, and to transfer many of the duties which, up to that period had been performed by the Clerk, to the President of the Council; and in effecting this arrangement His Lordship proposed to Mr. Ryland to surrender the appointment, and to accept in its stead the office of Registrar of Deeds in the then Judicial District of Quebec, at the same time guaranteeing to him an annual income from the emoluments thereof, equal to the sum of £515 currency, to which he would be entitled as a retiring allowance under the Imperial Statute, 4 and 5 Vict. cap. 29.

Mr. Ryland, on being thus guaranteed, and having reason to expect that the emoluments of the office offered to him, would amount for the first year to a large sum, affording him ample compensation for vacating his original one, acceded to this proposal, and placed the latter at His Excellency's disposal. But he expressly stipulated in his acceptance of the new appointment, as well as in his answer to the circular of His Excellency Sir R. Jackson, Administrator of the Government, dated 18th December, 1841, that in the event of the Registrarship of the said District of Quebec not proving nearly equal in value to his appointment as Clerk of the Executive Council, the sum guaranteed was not to be considered as compensation in full either for relinquishing that office, or for his claim upon the Government.

The Registry Ordinance of Lower Canada did not come into operation until the 31st December, 1841, and the time within which all existing deeds were to have been enregistered, and from which the great amount of remuneration would have resulted, was extended until eventually a material alteration was made in the Registration Law, establishing County instead of District Registry Offices, and causing Mr. Ryland to become Registrar of the County, instead of the District of Quebec, notwithstanding his remonstrance; and this alteration had the effect not only of depriving Mr. Ryland of a great proportion of the remuneration resulting from these arrears, but also of essentially reducing the annual income of the office.

It is true that at a subsequent period, namely, on the 8th July, 1845, Mr. Ryland was transferred to the more important office of Registrar of the County of Montreal, which he now holds, but the Reports of the Commissioners appointed to examine the Registry Offices, establish, that both Offices have been sources of labour and expense rather than of profit.

From the circumstances herein before detailed, the Legislative Assembly feel that the case of Mr. Ryland is one of great hardship,--that his claims, the justice of which have been officially recognized by the late Governor General Lord Metcalf, ought not to be overlooked, and that he has a right to expect that the Contract between the Governor General and him, of which he has performed his part, should be carried out by the Imperial Government according to its terms, or as that may now be impossible, that he should be fully compensated for the non-fulfilment thereof.

We therefore, in reviewing these circumstances, humbly beg permission to call Mr. Ryland's claims, as herein set forth, to your Majesty's Gracious Notice; and we humbly pray that your Majesty will be pleased to take them into your most favorable consideration, and direct such measures to be adopted therein, as your Majesty in your wisdom may find them to deserve.

Ordered, That the said Report and Address be taken into consideration, by the whole House, to-morrow.

Witnesses At-
tendance Bill.

Ordered, That Mr. Solicitor General Taschereau have leave to bring in a Bill to authorize and enforce the attendance of Witnesses from any

part of this Province, before the Courts of Superior Criminal Jurisdiction.

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*He accordingly presented the said Bill to the House,*³

MR. AYLWIN, it was due to the House to state in what the law was deficient.⁴

MR. SOL. GEN. TASCHEREAU, said that there was no law, by which witnesses who refused to give their attendance in criminal matters could be compelled to do so.⁵

MR. AT. GEN. SMITH. The member opposite may recollect the case in which a man was murdered in Bytown, there was there no means to compel the attendance of witnesses.⁶

MR. DRUMMOND, would suggest another provision if it were not already introduced; it was that, of allowing the Judges to issue commissions to take evidence in the United States or elsewhere, as was done in civil matters. It often happens that witnesses go to the United States before the trial comes on and thus the ends of justice are thwarted.⁷

MR. SOL. GEN. TASCHEREAU, never heard of any law by which a commission was issued in criminal matters.⁸

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and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Quebec and
Montreal
Police Bill.

Ordered, That Mr. Solicitor General Taschereau have leave to bring in a Bill to amend the Act amending certain provisions of the Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Desjardins
Canal Loan
Bill.

Ordered, That the Honourable Mr. Robinson have leave to bring in a Bill to authorize the Desjardins Canal Company to borrow a sum of money to complete the Desjardins Canal.

*He accordingly presented the said Bill to the House,*⁹

MR. ROBINSON ... said that this company had been commenced with a capital of £6,000 to which the Government had added £17,000 but the canal is far from finished yet. It will require as much as both the above mentioned sums put together to finish it. From the state of the Revenue, it is evident that the Government will not be able at the present time to give any assistance, there can therefore, surely be no objection to allow the company to borrow a sum not exceeding £25,000. The Canal at present has only from 4 to 5 feet of water, and yet it

does a large busines (sic), if the Canal was deepened it would do far more. He hoped the Government would make no objection to the bill and when the Canal was finished it would ultimately pay all parties.¹⁰

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and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Printed.

Ordered, That the Petition of Peter Perry and others, inhabitants of Whitby and other Townships; and the Petition of William Caldwell and others, of the Township of Reach, in the Home District, be printed for the use of the Members of this House.

Members
added to a
Committee.

Ordered, That Mr. Ermatinger, Mr. Hall, and Mr. Price, be added to the Select Committee on Railroads.

Orleans and
Montmorency
Division.

Mr. Drummond, from the Committee of the whole House to consider the expediency of amending the Act 8th Victoria, chapter 28, intituled, "An Act to detach the Island of Orleans from the County of Montmorency, for the purpose of the Registration of Titles, and to establish a Register Office in the said Island," reported, according to Order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolved, That it is expedient to amend the Act passed in the 8th year of Her Majesty's Reign, intituled, "An Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration of Titles, and to establish a Registry Office of the said Island."

Bill.

Ordered, That Mr. Cauchon have leave to bring in a bill to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Attainder Bill.

Mr. Roblin, from the Committee of the whole House, on the Bill to restore the Rights of certain persons attainted for High Treason, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Public Lands
Bill.

The Order of the Day for the second reading of the Bill to extend the provisions of the 13th section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to amend the said

*Act in other respects, and further to provide for the final settlement of Land claims, being read;*¹¹

MR. D. MACDONELL of Stormont moved for the second reading of the bill¹².

MR. AT. GEN. DRAPER ... pria ((M. Macdonell)) de remettre la lecture de ce bill, parce que ses dispositions tendaient à diminuer le revenu de terres dont le prix faisait partie du revenu public; ce qui ne se pouvait faire sans la recommandation du gouvernement, d'abord (sic);¹³ ((also)) by issuing scrip, there is a diminution in the amount of the public lands.¹⁴ En second lieu, parce que le Commissaire des Terres mettant sous les yeux de la chambre un bill pour amender l'acte de 1841, les dispositions de celui de M. McDonald pourraient faire partie du bill du Commissaire des Terres si la chambre le trouvait convenable.¹⁵ ((He)) suggested that it should be referred to the same Committee as the bill introduced by the member for Ottawa. If not he would divide the House on the subject and he would do so on broad principles.... The bill must therefore come down in another way having received the sanction of the Crown. Unless so introduced he must oppose it.¹⁶

MR. AYLWIN said, he admitted that the arguments of the Attorney General were correct, but in the present case he felt bound to support the second reading of the bill and for this reason, that by a side wind caused by the mighty genius of the member for Three Rivers¹⁷ il avait trouvé le moyen d'engager l'exécutif à donner des terres aux miliciens du Bas-Canada pour leur service en 1842, en contravention ... à l'acte de 1841.¹⁸ This was after the person who now fills the Chair of President of the Executive Council - but who then represented the borough of nowhere - had so ably discussed the crise ministérielle; he did so because he expected that by the mighty benefits he was giving to the old militia of Lower Canada, he would get their support and be returned for some place or other. The member for Lotbiniere sent in a petition stating that the time allowed had been a year shorter than was intended; this petition was not referred to the Law Officers of the Crown, but to the pocket of the Attorney General - for it was very useful to have pocket officers - and it was confirmed by the pocket of the President of the Council, and a large quantity of scrip was issued.¹⁹ M. Viger n'était qu'un président de poche (a Pocket President of the Council;) l'officier de la Couronne d'après l'opinion duquel le gouverneur avait donné ces terres n'était qu'une espèce de procurer (sic) général de poche (a pocket Attor. Gen.) ce n'était que de l'agiotage, une généralie de la part du président du Conseil, pour se concilier les suffrages de ses compatriotes.²⁰ It is true he said, that two blacks do not make a white; but after Lower Canada had possessed the advantages claimed by the member for Stormont, it would come with a very bad grace from him to oppose it. He believed that the member for Stormont, was one of those that did not usually support the Government, he did not bring the measure forward to gain any political reputation, but for a far higher and nobler object, viz. - to gain for his companions in arms their just rights. The member for Three Rivers is not a person consum-

mate in strategy, he is no fighting man in the real sense of the term but he expected to have increased his influence in a political point of view, but he has lost it. Did the militia represented by the member for Lotbinière apply to Viger. No. They applied to you Mr. Speaker - and he lost the benefit he expected to have derived for the job. He sits there laughing wrapped up in his own pretended dignity; but his heart is callous, it is as hard as a mill stone. - He perpetrated a job on Upper Canada; well it was time that Lower Canada should be forsaken, for Lower Canada has been sufficiently jobbed. He (Mr. A.) did not like jobs, especially when they were committed on the militia on those that had been the country's defence in time of war. He expected to give them a boo((n)); yes, no corrupt Government can exist without boons. The corrupt Government of Lord Sydenham could not get on without continually giving boons²¹.

Cries of - and Bagot²².

MR. AYLWIN ((resumed:)) Hon. gentlemen call out about the administration of Sir Charles Bagot he would ask the member for Megantic whether the administration of Sir Charles Bagot was corrupt.²³

MR. PROV. SEC. DALY, echoed the sentiments on that subject that had been expressed by his friend the Attorney General West.²⁴

MR. AYLWIN would ask one who had been a colleague if they had done anything to plunge the country into debt. (Hear, hear.) He would ask whether the hon. gentlemen from London and Megantic can approve of the sentiments uttered by the members for Sherbrooke and Leeds who are their supporters. He would ask the member for Sherbrooke whether he was in the opposition during the administration of Sir Charles Bagot, he (Mr. A.) believed he was not till after his death. He would ask the ostensible leader of the administration whether, he did not support the administration referred to; if he is consistent with himself he would not remain silent, let him be consistent for once in his life. He (Mr. A.) did not think it proper that after the death of Sir Charles Bagot his acts should be canvassed; he had an administration and that administration was responsible. He (Mr. A.) felt it his bounden duty to have the practice of the member opposite exposed; but after all his stragetical (sic) practices mark the result, do the Militia men apply to him! No! They apply to you Mr. Speaker, they apply to the member for Terrebonne, and they apply to me and he felt more honored by their application than he could by the acceptance of any office. He would ask the members of the House whether the person who represents the borough of Three Rivers, whether he now or ever represented Lower Canada²⁵.

Loud cries of No! No! from the opposition members²⁶.

Cries of Yes! Yes! from the Lower Canada members of the ministerial benches.²⁷

MR. AYLWIN would ask the members on this side of the House whether he ever did.²⁸

((The opposition members)): No! No!!²⁹

MR. ROBINSON, rose to order, the hon. gentleman ought to address the Chair.³⁰

MR. AYLWIN. - He had effected his object, the member for Simcoe calls me to order, aye he feels for his old colleague. He in conclusion charged³¹ que cette mesure diminuait la valeur des terres en même temps qu'elle violait la loi de 1841, puis saisit cette occasion de faire des reproches à M. Viger de s'être séparé du ci-devant ministère après l'avoir soutenu.³²

MR. AT. GEN. DRAPER³³ said the hon. member for Quebec had thought fit to charge the venerable President of the Council with something approaching to gross corruption, with doing an illegal act, knowing its illegality, in the vain hope of obtaining political influence, and thence he (Mr. Aylwin) argued that inasmuch as such an act had been committed it was logical in him in the present instance to commit a similar one. (Laughter.) The hon. gentleman had also charged the hon. member for Sherbrooke with having attacked Sir Chas. Bagot after his death. He (the Attorney General) would say that the hon. member for Quebec should be the last man to rebuke another for such an offence, seeing that he himself attacked the memory of Lord Sydenham immediately after the death of that nobleman, and while his bones yet lay within the echo of the hon. member's voice. He (the Atty. Gl.) replied in that instance in a manner that he would not then revert to, but he would repeat that the hon. member ought to be the last man to complain of a Governor being improperly accused, he having been the first after Responsible Government was established to violate that principle of it by which every act is chargeable not upon the Governor but upon his constitutional advisers.³⁴

MR. AYLWIN begged to explain that what he said of Lord Sydenham was that in reference to men in his station the same right existed as had been held by the Egyptians, viz., that a man's death was no barrier to the questioning of his acts; besides he (Mr. Aylwin) stood in a different position towards Lord Sydenham than did the hon. member for Sherbrooke towards Sir Charles Bagot: he (Mr. A) had never in any way approved of Lord Sydenham's conduct, but had been throughout his firm and uncompromising opponent.³⁵

MR. AT. GEN. DRAPER said the explanation of the hon. member could not justify a departure from the principle of Responsible Government which held that whatever was done by a Governor was the conduct and acts of those who advised it; that was clearly the proper doctrine, and were he at that moment to hear an attack made upon the personal character of that worthy and noble minded man Sir Charles Bagot he would be the first to repel it.³⁶

Hear, hear, from the opposition.³⁷

MR. AT. GEN. DRAPER ((resumed:)) With regard to the charge against the President of the Council, and which like other charges against the same venerable personage had now almost become stereotyped, it was founded upon an act towards the militia of Lower Canada, which the

Government considered just³⁸. En donnant les terres en question aux miliciens du Bas-Canada, on n'avait fait que s'acquitter d'une dette sacrée³⁹. Petitions had been presented upon the subject of the Militia lands setting forth, what was discovered to be the fact⁴⁰ que par une erreur évidente, les miliciens du Bas-Canada avaient été privés d'une année entière pendant laquelle ils avaient, d'après l'ordre même du gouvernement, le droit de réclamer les terres qu'on leur avait promises⁴¹. When a numerously signed petition to that effect was presented, and the mistake discovered, the Government only hesitated as to how justice could be done; they referred the question to a Queen's Counsel of Lower Canada, one not of their party, and who was not likely to prostitute his conscience from any leaning towards the Government.⁴²

MR. AYLWIN - Quesnel, Quesnel.⁴³

MR. AT. GEN. DRAPER ((resumed:)) He the ((Atty. Gen.) had no desire to deny that it was to the gentleman named by the hon. member for Quebec that the Government referred, and who gave an opinion in favour of the course they had adopted.⁴⁴ En leur accordant ce délai d'une année pour en faire la demande, on n'avait fait que leur donner ce qui leur appartenait réellement, qu'ils ne réclamaient qu'à des titres solennels, en vertu de l'engagement du gouvernement lui-même.⁴⁵ The great theme of that course had been directed against the hon. member for Three Rivers, but he the (Attorney General was prepared to bear the responsibility in common with his venerable friend. (Hear, hear.) He was willing that they should be tried at the same bar, (Cheers,) "try us by it" continued the Attorney General "where you will and when you will I will never desert the man who stood alone in defence of Lord Metcalfe, and whose firmness was afterwards rewarded by the support of a large majority of the country, (Loud cheers.)⁴⁶ Il ne pouvait que s'applaudir d'une conduite dictée par la justice.⁴⁷ The learned member next repeated his objection to the bill on the ground that it was such as could alone originate with the Government.⁴⁸

Le président du conseil, M. VIGER, à son tour signala, dans le discours de M. Aylwin, les expressions injurieuses que l'on vient de voir, pour faire remarquer, comme il l'avait déjà fait, disait-il, qu'un langage de cette espèce ne pouvait pas plus faire honneur à l'Orateur, qu'à la chambre aussi bien qu'au pays: qu'il (M. Viger) n'avait pas la vanité qu'on pouvait lui supposer; mais qu'il avait l'orgueil de se croire au-dessus de semblables injures.

Que le langage que venait de tenir l'Hon. membre pour Québec, était bien singulier de la part d'un de ceux qui se prétendaient les défenseurs des Canadiens.

Que si c'était un crime de leur avoir fait rendre justice, il (M. V.) s'avouait coupable; c'était aussi le crime de Lord Metcalfe, aussi lui devenu l'objet de tant d'outrages.

L'exécutif dans cette occasion n'avait fait que remplir l'engagement solennel pris par le gouvernement d'accorder ces terres à ses compatriotes, comme témoignage de leur fidélité, de leur courage, en versant leur sang pour la défense de leur pays; ce témoignage leur

était dû, à d'autant plus juste titre que l'Angleterre était redevable à ce peuple d'être la seule des nations de l'Europe qui conservait des possessions dans l'Amérique du Nord.

Par rapport à lui (M. V.) il était vrai de dire qu'il avait soutenu les ci-devant ministres; il avait sacrifié ses propres opinions pour les appuyer; qu'il avait même refusé d'entrer dans le conseil législatif à l'arrivée du ci-devant gouverneur; il espérait leur être utile dans l'Assemblée Législative; il ne s'était séparé d'eux que lorsque, pour les soutenir, il aurait fallu sacrifier des principes essentiels, en particulier, ceux du gouvernement responsable qu'ils prétendaient soutenir; et qu'il (M. V.) avait présentés sous des points de vue beaucoup plus favorables aux libertés publique (sic) que ceux qui s'en prétendaient les défenseurs.

Qu'il était l'ennemi de toute espèce d'arbitraire; de la tyrannie sous la pourpre comme sous les haillons: qu'il devait dire, comme un célèbre ministre d'Angleterre l'avait fait dans une situation analogue à celle dans laquelle, il (M. V.) se trouvait depuis la résignation, que les persécutions qu'on lui faisait éprouver, n'auraient jamais l'effet de diminuer son zèle pour défendre les droits de ses concitoyens.⁴⁹

MR. BALDWIN said, that the course the debate had taken gradually branched into a question not directly involved in the bill before the House, but which was nevertheless of much importance, and upon which he (Mr. Baldwin) thought it became him to offer a few remarks. With regard to the Militia of Lower Canada, he (Mr. Baldwin) would say that he was, of course, ever ready to extend to them the utmost justice; but it was one thing to say that, and another to resort to grossly unconstitutional means to benefit them. He said last session that the course adopted by the hon. member for Three Rivers in granting the scrip referred to by the hon. member for Quebec was entirely unconstitutional, and he would say so still; it was a course that could only be justified by an extreme public exigency, and then indemnity should be applied for to the Parliament as soon as possible. But in the case alluded to, no such exigency existed, there was no pressure from without or from within, and yet, did the hon. member for Three Rivers, with the concurrence of course of his then brethren in the Ministry, the blooming member for Megantic, and the hon. Attorney General West, fly in the very face of an act of Parliament, an act passed too, it should be observed, by a Government of which the Attorney General himself was one, viz., the Harrison Administration; and in reference to that designation of a Government - he (Mr. B.) would say that he entirely concurred in the doctrine laid down by the hon. Attorney General, of not holding the Governor of the day responsible, and he also held that the term Administration as applied to a Governor was not correct, it was applicable only to a Responsible Ministry. But in reference to the law of 1841, that of the Harrison Administration, it was there laid down in as express terms as could possibly be employed. "That no new claims to land founded upon any regulation, or order by the Government, shall be allowed or entertained, unless made before the first day of January, which will be in the year of our Lord 1843, except when the parties

originally interested and claiming, shall be under the age of twenty-one years on the said day. 4 and 5 Victoria, chapter 100, section 13." It was in the face of this plain declaration of the law that the venerable President of the Council has dared to act and for which he deserved Impeachment. It was true the hon. Attorney General West came to the rescue, avowed his participation in the outrage, and shouted that he was prepared to stand or fall by the side of his venerable colleague, declared that he was willing to be tried at the same bar with him and to share in whatever punishment might be inflicted; this was all very fine; it was easy for the learned Attorney General to talk of standing or falling - although by the bye, he did not seem desirous to stand with the President of the Council some time ago (laughter,) he then seemed rather anxious to stand without him, (renewed laughter) but it would be remarked, and was remarked, that when the learned Attorney General vaunted his readiness to share in all the consequences of the proceeding referred to, he took good care not to give his own opinion of the law, he was most cautious upon that point, he did not approach it, he dared not. He (Mr. Baldwin) would tell both those learned gentlemen that they had incurred a degree of responsibility which ought to have brought them to the bar of the Council there to be tried for high crimes and misdemeanors; they had done what nothing could justify except perhaps, the fact of a foreign enemy being at the gate; he (Mr. Baldwin) could understand how in such an exigency a Government might for the time being hold itself superior to the law, but in the case in question no such necessity existed; there was however, a necessity, the safety of the country was not threatened but the hon. President's place in the Government was menaced and he sought to avert the blow; in plain English he desired, even at the very sacrifice of a law of the land, to please his friends or those whom he thought might become his friends. The time was when he (Mr. Baldwin) could respect the views of the member for Three Rivers, when he could defer to those views, but that day was gone by, and the venerable member would excuse him (Mr. B.) for saying that he had lost all confidence in him both as a minister and as a constitutional lawyer. As regarded the measure before the House he (Mr. B.) would say that he entirely agreed with the Attorney General West that it ought to emanate from the Crown, and he would therefore advise its withdrawal, suggesting at the same time that the hon. member who introduced it might take occasion to engraft those particular views which it contained upon the bill about to be introduced by one of the Ministry, the hon. member for Ottawa.⁵⁰

M. LAFONTAINE ((a parlé.))⁵¹

MR. D. MACDONELL of Stormont - had no desire to act in an unconstitutional way, and would in consequence of the representations of hon. members and the apparent disposition of the Government to act in the matter themselves (sic), withdraw his ((motion))⁵².

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Ordered, That the said Bill be read a second time on this day fortnight.

Message from
Legislative
Council.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:--

Wild Fowl
Protection
Bill.

"An Act for the better preservation of certain Wild Fowl in the County of L'Islet."

St. Lawrence
and Atlantic
Railroad Bill.

"An Act to amend the Act incorporating the St. Lawrence and Atlantic Railroad Company."

Customs
Duties Bill.

"An Act to alter and amend the Laws imposing Provincial Duties of Customs."

Also,

LEGISLATIVE COUNCIL,
Wednesday, 6th May, 1846.

Brockville
Town Lot Bill.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and communicate to that House the Documents, Evidence, or Proofs, upon which is founded the Bill, intituled, "An Act to authorize the Devises and Trustees of the Will of the late Honourable Charles Jones to convey a Town Lot therein mentioned to the President and Board of Police of Brockville, for the uses and purposes therein mentioned," as requested by their Message of the 27th April last, and to desire that the same may be returned to this House.

And also,

LEGISLATIVE COUNCIL,
Wednesday, 6th May, 1846.

Vanzandt's
Relief Bill.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and communicate to that House the Documents, Evidence, or Proofs, upon which is founded the Bill, intituled, "An Act for the relief of Juliet Vanzandt, wife of Jacob L. Vanzandt, who claims, as sister of the half blood of Richard Duncan, late of Williamsburgh, in the Eastern District of this Province," as requested by their Message of the 22nd April last, and to desire that the same may be returned to this House.

And then he withdrew.

Burns' Re-
lief Bill.

The Order of the Day for the second reading of the Bill for the relief of Robert Easton Burns, Judge of the Home District Court, being read;

Ordered, That the said Bill be read a second time on this day fortnight.

Vanzandt's
Relief Bill.

The Order of the Day, for the second reading of the Engrossed Bill from the Legislative Council, intituled, "An Act for the relief of Juliet Vanzandt, wife of Jacob L. Vanzandt, who claims, as sister of the half blood of Richard Duncan, late of Williamsburg, in the Eastern District of this Province," being read;

Ordered, That the said Bill be read a second time on this day fortnight.

Toronto
Hospital Bill.

The Order of the Day for the second reading of the Bill to incorporate the Trustees of the Toronto Hospital, being read;

Ordered, That the said Bill be read a second time, on this day week.

Montreal
Roads.

The Order of the Day for the House in Committee, on the First Report of the Select Committee to which was referred the Petition of E. Guy, Esquire, and others, residing on the Lower Lachine road, and other references, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cummings took the Chair of the Committee, and after some time spent therein,

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Mr. Speaker resumed the Chair;

And Mr. Cummings reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Railways Bill.

The Order of the Day for the second reading of the Bill to Consolidate in one Act certain provisions usually inserted in Acts authorising the making of Railways, being read;

Ordered, That the said Bill be read a second time on this day fortnight.

Commissioners
Evidence Bill.

The Order of the Day for the second reading of the Bill to empower Commissioners for enquiring into matters connected with the Public Business, to take evidence on oath, being read;

Ordered, That the said Bill be read a second time on Friday next.

Montreal Gas
Company Bill.

The Order of the Day for the second reading of the Bill to incorporate "the Montreal Consumers' Gas Company," being read;

The Honourable Mr. Moffatt moved, seconded by the Honourable Mr. Robinson, That the said Bill be now read a second time.

The Order for hearing Counsel at the Bar of the House against the said Bill, being then read;

F. Godshall Johnson, Esquire, Advocate, appeared at the Bar as Counsel, and addressed the House.⁵³

Mr. Johnson was heard from the inner bar, as counsel on behalf of the Montreal Gas Company, in opposition to the Bill for incorporating the Montreal Consumers' Gas Company.⁵⁴ The learned gentleman addressed the House at some length against the Bill. He objected to the clause of limited liability as conferring on the Company proposed to be incorporated greater privileges than those possessed by the old one. The Montreal Gas Company had started into existence under the most disadvantageous circumstances; the enterprise was a novel one, the experiment was as yet untried in this latitude, and it was problematical if gas could be manufactured here at all, yet no limited liability was granted to it.... The old Gas Company had no desire to establish a monopoly themselves, they did not wish to exclude fair competition; but they did protest that after they had at great labour, and at first at much loss, proved the possibility of gas being manufactured here; after they had erected expensive works, and expended a large capital in main and lateral pipes - they did protest that after having done this, another Company should be allowed a monopoly, for it would be no less if these privileges were accorded a new Corporation.⁵⁵ He objected also to the dangerous identity of the Corporation of the City of Montreal with the new Company⁵⁶ ((as)) the 3rd section⁵⁷ enabled the Corporation of Montreal to become large proprietors in the stock of this Company,⁵⁸ to the amount of one third of the capital; and ... certain actions were to be taken out in the name of the "Mayor, Aldermen and citizens of Montreal," and thus⁵⁹ he put it to the House, whether the public would be likely to meet with the justice it had a right to expect from a Company composed of persons who stood in all three fold capacity of its projectors as individuals, of its proprietors in their capacity as members of the Corporation of Montreal, and its customers, contracting on behalf of the public, for the supply of light to the city.

He objected, too, to the injustice of giving this Company, by the 18th section, a period of seven years to complete their works, while the old Company, with all the disadvantages under which they laboured when they began, had no more than two.

Some glimpses of liberality, it was true, appeared at first sight to be exhibited in the 16th section, where it was proposed to be enacted "that nothing in this Act contained, shall extend or be construed to extend, to prevent any person or persons, body politic or corporate, from constructing any works for the supply of gas to his or to their own premises, or to prevent the Legislature of this Province, at any time hereafter, from altering, modifying, or repealing the powers, privileges, or authorities herein before granted to the said Company."

It seemed, indeed, a little unnecessary for the promoters of the Bill to propose an enactment to reserve the right of legislating to the Legislature; but, he was free to admit, that it had the appearance of liberality. Unfortunately, however, all the credit which would have been due for it, was destroyed by the concluding clause - "Provided always, that unless such repeal, modification, or alteration be made with the consent of the said Company, provision shall be made for purchasing from them the whole of their property acquired under this Act,

at a fair valuation."

Now, if he were to demand that the property of the present Company should be taken at a fair valuation, it might be considered a very strange and extravagant request, and he thought it would be so; but was there any good reason why, that which would not be granted to the old Company should be accorded to the new? - Was there any reason why the property of the latter should be taken at a valuation if any thing occurred to prevent them from carrying out their plans?⁶⁰ He assured the House that if the new Company were prepared to bind themselves to supply Gas at the rates which they had published as remunerative, his clients would not have opposed the Act of Incorporation.⁶¹ The last part of the subject to which he would refer, was the length of time during which the privileges of this Company were to be extended. It was proposed to give them these privileges for fifty years - just double the time granted to the established Company, who had introduced the manufacture of gas into the town, and had done so at an annual loss for several years after the commencement of their business.⁶² As regarded the complaints made against the charges of the old Company, experience would prove that they arose from the disadvantages under which all such manufactures must be carried on in this Colony, coal was four times dearer here than in England; and supposing the necessary apparatus to cost £10,000 sterling there, here it could not be laid down under £15,000; the interest of that sum in England at £5 per cent would be £500, while here £900 per annum would be required to pay the lowest rate of interest usual.⁶³ The new Company will seriously inconvenience the citizens of Montreal by cutting up the streets and pavements.⁶⁴ He concluded by praying that the two Corporations might be placed on an equal footing, and that one should not be encouraged at the expense of the other, particularly when that other from its long existence, and the fact of its⁶⁵ being the first to introduce Gas, under serious obstacles, into the city of Montreal, to the great advantage of the citizens⁶⁶, was entitled to superior privileges to one which was proposed to be built up on a foundation it ((h))ad laid.⁶⁷ The learned gentleman thanked the House for the attention they had shewn him⁶⁸.

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The Counsel then withdrew.

MR. MOFFATT remarked, that the objections which had been taken by the learned Counsel who had just retired, were made in the best possible spirit, but⁶⁹ he considered he had proceeded on an erroneous impression that the principle of the Bill was involved in the details against which he had pleaded.⁷⁰ He considered that the objections which the learned gentleman had urged against several clauses of the bill, might be considered by the Committee on private bills, to whom he intended to refer it, and they might modify the different sections if they thought it necessary⁷¹, and of course the Company would have to submit to the decision that might be arrived at.⁷² He assured the House that he was not himself prepared to support ... ((the contested clauses)); he was not prepared to advocate any greater privileges being accorded to the new, than were enjoyed by the old company.⁷³ The objections made on

account of the public, could, he thought, be amply compensated by the great reduction in the charges for gas which would be made if the new gas Company were established, for the blank left for the limitation of the price to be charged on the street lamps was to be filled up with £4 4s. for each lamp, whereas the present price was £6.⁷⁴ This he thought, was a sufficient compensation for the privilege of opening the streets.⁷⁵ The sole reason, in fact, for the proposed establishment of this Company, was the exorbitant charges made by the present gas manufacturers.⁷⁶ If the price charged by the old company had been a reasonable one, this application would never have been made to the House, but it was so exorbitant when compared with that charged in other places, that competition became necessary.⁷⁷ The present Gas Company charge 25s. per thousand feet, this the inhabitants and Corporation consider it (sic) an unreasonable charge, & it has given great dissatisfaction.⁷⁸ It was said, indeed, in a pamphlet recently published, that the Company only received 14s. 7d. per 1000 feet, but however that might be 25s. was the price paid by the public. He was prepared to show from the experience of other places that these charges could be materially reduced. To shew this, he would read an extract of a letter from a gentleman who possessed an extended acquaintance with the subject⁷⁹. He (Mr. M.) ((then)) read letters ... from Mr. Edge of London, and other documents to shew the rates charged for Gas in England⁸⁰. "The question is, have you a large hold for an enlarged consumption of gas? If so, I feel assured my statement would be borne out. The Montreal Gas Company, like most persons, do not see that, their profits would be greater, in the aggregate, by lowering the price, from the increased consumption - it is proved so in every instance in this country, and I have found it so in towns belonging to myself. I first charged 15s. per 1000 - I then reduced it to 12s., which occasioned a much larger consumption and gave me a larger profit on the whole, - the rental at the reduced rate having very soon far exceeded what it was before the reduction. I have now reduced it to 10s. and the same effect has been produced. The apparatus and workmen being more fully employed, the Gas is made cheaper."

Then again, it appeared that - "the Manchester Gas Company have continued to increase their gains, in proportion to the reduction of their charges, and the present, and probable future, state of their works, demonstrate, what few persons are now-a-days disposed to gain-say, namely, that low charges, for any article of general consumption, seldom fail to increase the profits of the vendor. The works - now the largest in the world - were first commenced in 1817, and, in that year supplied the public with gas at the rate of 15s. per 1000 cubic feet. The prices have, however, been almost annually lowered, so that, at the present time, the smallest consumer only pays 6s. per 1000 feet and the largest only 5s. The following table of the relative charges and profits of this Company for a series of years, illustrates the fact that, the low prices secure gains.

		s.	d.	£
Charge per 1000 feet in	1833	10	6	Profit 8,272
do do	1834	10	3	do 10,292

			s.	d.	£
Charge per 1000 feet in	1835	10	0	Profit	13,519
do do	1836	9	0	do	15,916
do do	1837	8	6	do	18,712
do do	1838	8	0	do	19,376
do do	1839	7	6	do	24,658
do do	1840	7	0	do	24,738
do do	1841	7	0	do	29,693
do do	1844	5	9	do	31,716

The same thing was true in the experience of the Liverpool Company. In that case "the profits of the year ending 20th June, 1845, exceed those of the preceding, by £212 18s. This fact, when considered in connexion with the reduction in the price of gas, on the 1st April, 1844, from 7s. to 6s., and the further reduction to 5s, on the 1st April in this year, affords a gratifying proof of the prosperity of the Company.

"These reductions in price, while they have not affected prejudicially the interests of the proprietors, have greatly contributed to the advantage of the consumers, have enabled a large portion of the tenants of the Company to increase the number of their "burners," and have induced many other persons (not previously tenants) to avail themselves of gas light. The net increase of tenants in the year is 1855. Your Committee having in the last month ascertained the state of their accounts, on the 30th of June, and, not apprehending, from the results of previous reductions, thst (sic) the revenue of the Company, for the current year, would be very seriously diminished, if the price of 4s. per 1000 feet, fixed to commence on the 1st January next, took effect from the 1st July last, resolved upon making this reduction from that day."⁸¹ He ((Mr. Moffatt)) considered that it would not be advantageous to the city to buy the works of the present Company as they had cost them £25,000, when as he understood, ... good works could now be constructed for £15,000. With regard to opening the streets, he could state that there was no objection from the Corporation or the citizens; and even if this Company was refused a charter, the present Company and the Water Works will soon be obliged to lay down more extensive pipes.⁸² Reasoning from these data, he was prepared to support the bill which had received the support of the Mayor and Common Council.⁸³

MR. BOULTON would vote for the second reading of the Bill, reserving to himself the right to oppose the objectionable clauses in Committee. He considered that the House ought to protect the Corporation now in existence in the same manner as it would protect a Railroad Company, and not allow it to be subjected to unfair competition. He did not think that unless the public absolutely demanded it that the new company ought to be endowed with even equal advantages to the old, much less any superior rights. He believed when the matter was investigated, it would be found that many of the assertions and theories with regard to the cost of production of Gas would be found fallacious; and on investigation, he was inclined to think the petitioners would discover cause to withdraw their Bill as founded upon false calculations. In

Toronto, the price was very high, and there were great complaints, but when the facts were looked into it was found that the charge was below that in many towns on this continent.⁸⁴

MR. MOFFATT ((continued:)) He had written to the Mayor (Mr. Ferrier) to see whether the Corporation had any objections to the new Company; Mr. Ferrier stated that the Corporation had agreed not to meet until the Parliament took some action with respect to their difficulties⁸⁵.

Mr. Moffatt here read a letter from Mr. Ferrier, stating that the Corporation had suspended the negociation with the old Gas Works relative to the public lights, until such time as the question of the Mayorality (sic) was settled.⁸⁶ But he ((Mr. M.)) believed that the Corporation and majority of the citizens were favourable to the new Company. He (Mr. M.) did not wish to give the new Company any privileges over the other.⁸⁷

MR. LAFONTAINE - thought that the entire management of the supply of the city with Gas as well as water, ought to be in the hands of the Corporation.⁸⁸

MR. MOFFATT - considered that it was not expedient for the Corporation to increase the debt of the city, and that the late difficulties had given such a shock to the credit of the city, that it would take several years to recover it.⁸⁹

MR. CHAUVEAU - enquired what was the opinion of Mr. Mills with respect to this Company?⁹⁰

MR. MOFFATT - had not thought it either necessary or his duty⁹¹ to enquire what were Mr. Mills' opinions on this or any other subject.⁹²

MR. CHAUVEAU, - Mr. Mills is Mayor.⁹³

MR. MOFFATT, - I do not consider him as such.⁹⁴

MR. CHAUVEAU, - but we do.⁹⁵

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The question being then put on the motion for the second reading of the Bill, it was agreed to by the House;

And the said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Quebec Incorporation Ordinances Amendment Bill.

The Order of the Day for the second reading of the Bill further to amend the Ordinances Incorporating the City of Quebec, and for other purposes, being read;

The said Bill was accordingly read and committed to a Committee of the whole House.

Mr. Jobin took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Jobin reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Huntingdon
Plank Road
Bill.

The Order of the Day for the House in Committee on the Bill to Incorporate "the Huntingdon Plank Road Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Price took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Price reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

School Sites
Bill, (U. C.)

The Order of the Day for the third reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to provide for vesting in Trustees the Sites of Schools in that part of this Province called Upper Canada," being read;

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Cayley,

Ordered, That the said Bill be amended by adding the following Proviso to the first clause:

Proviso.

"Provided also, that nothing in this Act contained shall be construed to extend to Common

Schools."

Ordered, That the said Amendment be engrossed.

Return to
Address.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

Law Costs on
certain Lands.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, dated the 28th of April, 1846, praying that He will be graciously pleased to direct the proper Officer to lay before the House, "a Statement of the Law Costs due on certain Lands seized by the Sheriff; the said Lands belonging to individuals who were transported for taking part in the late Rebellion."

(For the said Return see Appendix B. B.)

Ferries Bill,
(U. C.)

The Order of the Day for the second reading of the Bill to explain and amend a certain Act therein mentioned, and to make further provisions concerning Ferries in Upper Canada, being read;⁹⁶

MR. CUMMINGS rose to move the second reading of the bill to amend the law respecting ferries. He regretted being obliged to bring in a bill for this purpose. For several years past ferries have been at-

tended to by every person who chose to do so, until the Government at length took it up and imposed some restrictions in order to preserve the privileges of the lessees. But the operation of this act was such as to prevent individuals crossing in their own boats, being subsequently taken up and fined. He had been informed by a gentleman who had a law-suit on the other side of the river, that he had travelled in his own boat, taking his witness with him, and when he returned he was taken up and fined immediately. Fishermen on crossing could not take people in their boats with them, and in fact it had gone to such an extent that, as he had said already, people could not make use of their own craft without being fined. As a ferry had to his own knowledge been leased out privately instead of being put up to public competition, he had inserted a clause in the bill that in future all ferries should be leased out in that manner. At the same time he must say he had considerable doubts as to whether the Government had the power of leasing ferries from the Canadian to the American side of the river.⁹⁷

MR. SMITH, of Frontenac, ... ((seconded)) the motion most willingly. People cannot use their own property without being fined. He did not believe the law was intended to have that effect, and he would suggest to his honble. friend to make a motion for the repeal of the present law altogether; if he did so, he would hand him the bill at once.⁹⁸

MR. WILLIAMS, on looking over the original bill, could not see any clause which gave a right to interfere with people making use of their own boats. (Hear, hear.) It was true that it declared no person at these ferries should carry goods or persons for hire or reward, and he could not believe that there was an act on the Statute Book which would bear the construction put on it by the hon. member. With respect to people being fined, he would like to know if any appeal had been made from the Magistrates to the Quarter Sessions?⁹⁹

MR. CUMMINGS would tell the hon. gentleman. The person whom he mentioned had come to him for advice, and he (Mr. C.) advised him to appeal to the Quarter Sessions. - He did so, and the case was then sent to the Court of Queen's Bench, where it is at present and is likely to remain.¹⁰⁰

MR. HALL would certainly vote for the repeal of the law, and he defied the House to say that he had not a perfect right to go to the U. States in his own craft. It was neither law nor justice. If he wished to cross eighty miles, he might do so - no one would interfere with him; but if he attempted to cross where it was only two miles, it was a ferry - and he was fined.¹⁰¹

MR. SHERWOOD, of Brockville, was ((in)) favour of having the law amended but not repealed altogether as it would injuriously affect the lessees, who, in consequence of this protection, had been induced to offer a high rent for the ferries.¹⁰²

MR. AT. GEN. DRAPER said that in every instance where a lease for a ferry was granted the lessee was bound in the strictest manner to have all boats necessary, but at the same time a person making use of his own

boat could not be punished, but if he took another party with him he was liable to conviction for a nuisance to the ferry. With respect to another point he had the misfortune to differ with the highest law authority in the Province as to the right of the Government to lease ferries leading into foreign countries, and so long as the present law exists of course they must be bound by it.¹⁰³

MR. J. A. MACDONALD, of Kingston, fully concurred in what had been said by Mr. Cummings, but considered the manner in which these cases are decided at present the worst part of the law.¹⁰⁴

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The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Chauveau took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chauveau reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Hamilton
Incorpor-
ation Bill.

The Order of the Day for the second reading of the Bill, to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a City, being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of Mr. Smith of Wentworth, Mr. Chalmers, Mr. Powell, Mr. Cummings, and Mr. Macdonald of Kingston, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Registry Laws
Bill, (U. C.)

The Order of the Day for the House in Committee on the Bill to consolidate and amend the Registry Laws of Upper Canada, being read;

The House accordingly resolved itself into the said Committee:

Mr. Taché took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Taché reported that the Committee had made some progress, and had directed him to vote for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the Day.

Notarial Titles
Bill, (L. C.)

The Order of the Day for the House in Committee on the Bill to remove all doubts as to the validity of certain Deeds, Instruments, and Documents, executed before Notaries in Lower Canada, and to secure the Rights, Titles, and Interests of all persons concerned therein, being read;

The House accordingly resolved itself into the said Committee.

Mr. Hall took the Chair of the Committee, and after some time spent

therein,

Mr. Speaker resumed the Chair;

And Mr. Hall reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

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Fish Protec-
tion Bill,
(U. C.)

The Order of the Day for the House in Committee on the Bill to prevent persons fishing with nets on the shores of Lakes in Upper Canada, from the tenth of June to the first of September in each year,

being read;

The Honourable Mr. Robinson moved, seconded by Mr. Williams, that the said Order of the Day be postponed until this day three months.

The Question having been put upon the said motion, a division ensued, and it passed in the negative.

The House then resolved itself into the said Committee.

Mr. Scott took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Scott reported back the Bill to the House.

Resolved, That the said Bill be referred to a Select Committee, composed of Mr. Dickson, the Honourable Mr. Cayley, Mr. Boulton, Mr. Petrie, and the Honourable Mr. Robinson, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Montreal
Sisters of
Charity Bill.

The Order of the Day for the second reading of the Bill to authorize the Community of the Sisters of Charity of the General Hospital, Montreal, (Grey Nuns,) to sell or alienate their property, situated on Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof in other Real and Immoveable Property, being read;

The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Barton Con-
cession Bill.

The Order of the Day for the House in Committee on the Bill to convey a part of the Concession Line between the third and fourth Concessions of the Township of Barton, in the Gore District, to Robert Jarvis Hamilton, being read;

The House accordingly resolved itself into the said Committee.

Mr. Laurin took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Wolfe Island
Railroad Bill.

The Order of the Day for the House in Committee on the Bill to incorporate "the Wolfe Island, Kingston and Toronto Railroad Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Monro took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Monro reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Peterboro'
Railroad Bill.

The Order of the Day for the House in Committee, on the Bill to incorporate "the Peterborough and Port Hope Railway Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonald of Kingston took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonald of Kingston reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Municipal
Bill, (L.C.)

The Order of the Day for the second reading of the Bill to repeal the Acts therein mentioned, and to amend the Law for the establishment of Local and Municipal Authorities in Lower Canada, being read;

Ordered, That the said Bill be read a second time on Friday next.

Common
School Bill,
(L. C.)

The Order of the Day for the second reading of the Bill to repeal certain enactments therein mentioned, and to make better provision for Elementary Instruction in Lower Canada, being read;

Ordered, That the said Bill be read a second time to-morrow, and that it be then the second Order of the Day.

Queen's Col-
lege Estates
Bill.

The Order of the Day for the third reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to transfer to Queen's College at Kingston, certain Estates, Rights and Liabilities of the University at Kingston," being read.

The said Bill was read accordingly.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald of Kingston do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same without any amendment.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

*Then, on motion of Mr. Hall, seconded by the Honourable Mr. Robinson,
The House adjourned.*

FOOTNOTES - 6 MAY 1846.

1. MONTREAL GAZETTE, 7 May 1846, noted: "Last night the House got through very little business."
2. There is a commentary on this Report in EXAMINER, 13 May 1846.
3. The debate on this matter was reported by: MIRROR, 6 May 1846, and PILOT, 12 May 1846, in identical accounts.
4. MIRROR, 6 May 1846.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. The following was reported by: MIRROR, 6 May 1846, and PILOT, 12 May 1846, in identical accounts.
10. MIRROR, 6 May 1846.
11. The debate on this motion was reported by: L'AUORE, 9 May 1846; MIRROR, 6 May 1846, misdated as 7 May. PILOT, 12 May 1846, and BATHURST COURIER, 19 May 1846, in identical accounts. There is a commentary in L'AUORE, 9 May 1846. L'AUORE described this as "un débat des plus dignes de l'attention de nos compatriotes."
12. MIRROR, 6 May 1846, misdated as 7 May.
13. L'AUORE, 9 May 1846.
14. MIRROR, 6 May 1846, misdated as 7 May.
15. L'AUORE, 9 May 1846.
16. MIRROR, 6 May 1846, misdated as 7 May.
17. IBID.
18. L'AUORE, 9 May 1846.
19. MIRROR, 6 May 1846, misdated as 7 May.
20. L'AUORE, 9 May 1846.
21. MIRROR, 6 May 1846, misdated as 7 May.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID., which reported that these cries were "feeble".
28. MIRROR, 6 May 1846, misdated as 7 May.
29. IBID.
30. IBID.
31. IBID.
32. L'AUORE, 9 May 1846.
33. IBID. According to L'AUORE, 9 May 1846, Draper spoke "avec le talent qu'on lui connaît."
34. MIRROR, 6 May 1846.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. L'AUORE, 9 May 1846.

40. MIRROR, 6 May 1846, misdated as 7 May.
41. L'AURORA, 9 May 1846.
42. MIRROR, 6 May 1846, misdated as 7 May.
43. IBID.
44. IBID.
45. L'AURORA, 9 May 1846.
46. MIRROR, 6 May 1846.
47. L'AURORA, 9 May 1846.
48. MIRROR, 6 May 1846, misdated as 7 May.
49. L'AURORA, 9 May 1846.
50. MIRROR, 6 May 1846, misdated as 7 May.
51. L'AURORA, 9 May 1846, observed that Lafontaine's speech "n'avait pas rapport à cette question."
52. MIRROR, 6 May 1846, misdated as 7 May. However, he did not withdraw as the bill was subsequently passed into law.
53. The debate on this matter was reported by: MONTREAL GAZETTE, 9 May 1846; MONTREAL TRANSCRIPT, 12 May 1846; and MIRROR, 6 May 1846, and PILOT, 12 May 1846, in identical accounts.
54. MONTREAL TRANSCRIPT, 12 May 1846.
55. MONTREAL GAZETTE, 9 May 1846.
56. MIRROR, 6 May 1846.
57. MONTREAL TRANSCRIPT, 12 May 1846.
58. MONTREAL GAZETTE, 9 May 1846.
59. MIRROR, 6 May 1846.
60. MONTREAL TRANSCRIPT, 12 May 1846.
61. MONTREAL GAZETTE, 9 May 1846.
62. MONTREAL TRANSCRIPT, 12 May 1846.
63. MONTREAL GAZETTE, 9 May 1846.
64. MIRROR, 6 May 1846.
65. MONTREAL GAZETTE, 9 May 1846.
66. MIRROR, 6 May 1846.
67. MONTREAL GAZETTE, 9 May 1846.
68. MONTREAL TRANSCRIPT, 12 May 1846.
69. IBID.
70. MONTREAL GAZETTE, 9 May 1846.
71. MIRROR, 6 May 1846.
72. MONTREAL TRANSCRIPT, 12 May 1846.
73. MONTREAL GAZETTE, 9 May 1846.
74. MONTREAL TRANSCRIPT, 12 May 1846.
75. MIRROR, 6 May 1846.
76. MONTREAL TRANSCRIPT, 12 May 1846.
77. MONTREAL GAZETTE, 9 May 1846.
78. MIRROR, 6 May 1846.
79. MONTREAL TRANSCRIPT, 12 May 1846.
80. MIRROR, 6 May 1846.
81. MONTREAL TRANSCRIPT, 12 May 1846.
82. MIRROR, 6 May 1846.
83. MONTREAL TRANSCRIPT, 12 May 1846.
84. MONTREAL GAZETTE, 9 May 1846.
85. MIRROR, 6 May 1846.

86. MONTREAL GAZETTE, 9 May 1846.
87. MIRROR, 6 May 1846.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. MONTREAL GAZETTE, 9 May 1846.
93. IBID.
94. IBID.
95. IBID.
96. The debate on this motion was reported by: MIRROR, 6 May 1846,
PILOT, 12 May 1846, and BROCKVILLE RECORDER, 14 May 1846, in
identical accounts.
97. MIRROR, 6 May 1846.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. IBID.

THURSDAY, 7 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought
up and laid on the table:--

By Mr. Chauveau,--The Petition of Mrs. Louise
Hélène Ritchie, widow of the late Joseph Deroche, of the Parish of
Beauport, in the District of Quebec.

By Mr. Powell,--The Petition of Robert Walker, and others, of the
Township of Woodhouse, in the District of Talbot.

By Mr. Duggan,--The Petition of Robert Defries.

By the Honourable Mr. Aylwin,--The Petition of George O'Kill Stuart,
Esquire, and others, of the City of Quebec and its vicinity, (relating
to a Railway between Quebec and Halifax.)

By the Honourable Mr. Robinson,--The Petition of William Rees, late
Medical Superintendent of the Provincial Lunatic Asylum at Toronto.

By Mr. Macdonald of Cornwall,--The Petition of Thomas Farley, and
others, of Caister, Gainsborough, and Grimsby.

By Mr. Meyers,--The Petition of Robert D. Rogers and others, of that
part of the Township of Otonabee, in the District of Colborne, adjoining
the Town of Peterborough.

By the Honourable Mr. Solicitor General Sherwood,--The Petition of
His Grace the Archbishop of Quebec, the Right Reverend the Catholic
Bishop of Montreal, and other Catholic Bishops, the Coadjutors of the
Dioceses of Quebec and Montreal.¹

Praying that the Jesuits' Estates which had been escheated,² ((and))
recently ... returned to the hands of the Provincial Government, should
be given up to their mangement (sic) for the foundation of schools,
and for other purposes, to attain which, the said estates had been ori-
ginally set apart, and some of which can only be attained through the
ministration of the Catholic Church. The petitioners would bind them-
selves, in case the said estates were given up to them, to provide col-
leges, with chairs of law, medicine, political economy, the fine arts,
&c., and to give annual accounts of the expenditure of the proceeds of
the said property, for the information of the Legislature.³

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Wolfe Island
Railroad Bill.

An Engrossed Bill, to incorporate "the Wolfe
Island, Kingston, and Toronto Railroad Company,"
was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald of Kingston, do carry the said Bill to the
Legislative Council, and desire their concurrence.

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Barton Con-
cession Bill.

An Engrossed Bill, to convey a part of the Con-
cession Line between the third and fourth Conces-
sions of the Township of Barton, in the Gore Dis-

trict, to Robert Jarvis Hamilton, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith of Wentworth, do carry the said Bill to the Legislative Council, and desire their concurrence.

Attainder Bill. An Engrossed Bill, to restore the Rights of certain persons attainted for High Treason, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Draper do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of the Honourable Mr. Solicitor General Sherwood, seconded by Mr. Duggan,

School Sites Bill. Ordered, That the Engrossed Bill, from the Legislative Council, intituled, "An Act to provide for vesting in Trustees the sites of Schools, in that part of this Province called Upper Canada," as amended, be now read for the third time.

The said Bill was read accordingly.

Resolved, That the Bill, as amended, do pass.

Ordered, That the Honourable Mr. Solicitor General Sherwood do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same with an amendment, to which they desire their concurrence.

Leave of Absence. Ordered, That the Honourable Mr. Solicitor General Sherwood have leave to absent himself from this House for ten days, from Friday next.

Petitions read. Pursuant to the Order of the Day, the following Petitions were read:--

Of J. M'Callum, Esquire, and others, of the County of Huntingdon; praying that the Registry Office of the said County may be removed to the Village of Napierville.

Of Henry Jones and others, of the Town of Brockville; praying that the Bill for the Assessment of Property in Brockville, may not be passed into a Law.

Of A. W. Hyndman and others, of Melbourne, and its vicinity; praying that no alteration be made in the present disposition of the Clergy Reserves; and that King's College, and McGill College, may be placed on such a basis as that all classes may enjoy the benefits thereof.

Of Pierre Vézina, Esquire, and others, of the District of Three Rivers; praying that piers may be erected in the River opposite the said Town, so as to facilitate the formation of an "Ice Bridge."

Petitions referred:-- Ordered, That the Petition of Alexis Mousseau, Esquire, and others, be referred to the Select Committee to which was referred the Bill

A. Mousseau,
Esq. et al.

for the better regulation of the Militia of
this Province.

Rev. A. Par-
ant, et al.

Ordered, That the Petition of the Reverend Antoine
Parant, Superior of the Seminary of Quebec,
and others, inhabitants of "La Côte de Beaupré,"
in the County of Montmorency, be referred to the Select Committee to
which was referred the Petition of Jean Baptiste Pagé and others, in-
habitants of the Parish of L'Ancienne Lorette, and other references.

On motion of the Honourable Mr. Baldwin, seconded by Mr. Price,
Petition of J. Durand read. Resolved, That the Petition of James Durand, Es-
quire, presented to the House yesterday, be
now read, and that the Rule of this House
of the twenty-eighth of June, 1841, be suspended as to the present
Petition.

The said Petition was read accordingly.

"Toronto
Medico Chi-
rurgical
Society."

The Honourable Mr. Solicitor General Sherwood,
from the Select Committee to which was referred
the Petition of John King, Esquire, M.D., and
George R. Grasett, Esquire, L. M., on behalf of
the "Toronto Medico Chirurgical Society," presented
to the House the Report of the said Committee, which was again read at
the Clerk's table, and is as followeth:--

Report.

Your Committee have taken the subject matter
of the said Petition into their consideration, and
they beg leave to recommend a Bill affording the protection asked for
by the Petitioners.

Bill.

Ordered, That the Honourable Mr. Solicitor Gen-
eral Sherwood have leave to bring in a Bill
to incorporate a College of Physicians and Surgeons in Upper Canada.

He accordingly presented the said Bill to the House, and the same
was received and read for the first time, and ordered to be read a
second time on Wednesday, the twentieth instant.

Joseph Simp-
son.

Mr. Cauchon, from the Select Committee to
which was referred the Return to an Address of the
fourteenth of April last, for copies of corres-
pondence on the subject of a complaint made by Joseph Simpson, that the
Trinity House of Quebec refused to give him a certificate of qualifica-
tion as a Pilot; presented to the House the Report of the said Commit-
tee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee, after having attentively exam-
ined the Petition of Joseph Simpson, a Pilot's
Apprentice, and examined witnesses in support of the said Petition,
particularly E. B. Lindsay, Esquire, Treasurer and Registrar of the
Quebec Trinity House, humbly represent:--

That the complaints of the said Joseph Simpson are well founded,
in fact and in justice; that a number of persons are similarly situ-
ated; and that it is only just that the Provincial Legislature should

provide that the said persons be placed in the circumstances they were in on entering into apprenticeship.

Your Committee, after mature deliberation, have determined to suggest to your Honourable House, that the best plan to adopt, is to pass a Law to empower the Quebec Trinity House to admit the class of persons above mentioned, subject to the conditions established by the Bye-Law of 1836.

Bill. Ordered, That Mr. Cauchon have leave to bring in a Bill to authorize the Quebec Trinity House to license as Pilots a certain class of persons therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Agricultural Societies Bill, (L. C.) Mr. Scott, from the Select Committee to which was referred the Bill to allow the formation of more than one Agricultural Society in a County in Lower Canada, and for the relief of the Society for the County of Montreal; reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the said Bill and Report.

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The House accordingly resolved itself into the said Committee.

Mr. Powell took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Powell reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Charles Hill. Mr. Thompson, from the Select Committee to which was referred the Petition of Charles Hill, of the Township of Bertie, in the District of Niagara, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report. Your Committee have taken the purport of the said Petition, as well as the action of the Honourable the Executive Council on a recent application from the Petitioner (Charles Hill) to them--into their consideration; whereby it appears that the Petitioner held under a Patent of an early date, Lot No. 9 in the 6th Concession of Rainham--200 acres. That upon a recent survey of the Indian Lands subsequently formed into the Township of Cayuga, fifty six acres were taken from Mr. Hill's Lot, and added to the latter Township.

That upon his application to the Executive Council for indemnification, a Minute of the said Council, dated 18th and 19th November, 1845,

is in the following words: "The 28th clause of the Land Act leaves the Committee no discretion in the matter. They therefore cannot recommend the prayer of your Petitioner."

Your Committee are clearly of opinion that the justice of the claim of the Petitioner calls for redress, and they therefore beg strongly to recommend the repeal of the 28th clause of the Land Act, 8 Vic. cap. 26.

Your Committee further recommend that the Provincial Government would reconsider the equity of the Petitioner's claim.

Private Bills.

Mr. Hale from the Standing Committee on Private Bills, presented to the House the Fourteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

"La Banque des Marchands" Bill.

Your Committee have examined the Bill to incorporate "La Banque des Marchands," and have agreed to recommend the same without amendment.

St. Patrick's Society Bill.

They have also examined the Bill to incorporate the St. Patrick's Society of Montreal, and to enable the said Society more efficiently to manage the affairs thereof, and have agreed to certain amendments to the said Bill, which they submit to your Honourable House; they would, however, at the same time respectfully call the attention of your Honourable House to the remarks made by your Committee in their Eighth Report, in relation to the incorporation of companies of this nature.

Cobourg Manufacturing Company Bill.

Your Committee have also considered the Bill to incorporate the Cobourg Manufacturing Company, and have agreed to the same without amendment, but would at the same time refer your Honourable House to their remarks (in the Seventh Report) when reporting upon the Petition upon which this Bill was founded, in relation to the limited liability of shareholders.

On motion of Mr. Meyers, seconded by the Honourable Mr. Robinson.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the Bill to incorporate the Cobourg Manufacturing Company, as reported by the Standing Committee on Private Bills.

The House accordingly resolved itself into the said Committee.
Mr. Smith of Wentworth, took the Chair of the Committee,⁴

MR. GOWAN, this bill contains the same objections that were made to the incorporating the Quebec Forwarding Company, viz: That the liability of the company was limited, he had voted against the bill incorporating the Sherbrooke Cotton Factory, and he would be compelled to be consistent with himself to vote against the bill unless the member who had charge of it pledged himself to strike out the clause limiting the liability.⁵

MR. BOULTON, it is little to the credit of the House that they should have adopted the principle of not incorporating Co's with a

limited liability. It will most effectually prevent the progress of manufactures in this country. In the United States this principle has been discarded altogether.⁶

MR. J. A. MACDONALD, of Kingston, did not think that the House could entertain the present bill, from the determination that they had come to on the Quebec Forwarding Company bill. The Capital of the company is small, it is within the reach of any one man; and by incorporating this company, you in a manner prohibit any one else from starting a paper manufactory. The company, it is supposed, will make profits, and at the end of some time, when they have become rich, they may fail, and even the profits are not liable for the debts. They can obtain all the advantages wished for by a bill simply allowing them to sue and be sued, except that their liability is but limited. He would conceive it the height of inconsistency to pass the present bill after the vote had been given the other night on the subject.⁷

MR. MEYERS, the principle may be good in the abstract, but why not refer it to all incorporated companies, why limit the liability of Railroads and other companies of a like nature?⁸

MR. ROBLIN, was against a limited liability, he considered that the profits ought to be secured, if the liability was limited; he believed that the company had no objection to an unlimited liability.⁹

MR. AYLWIN, this House must meet (sic) out the same measure of justice to this company as they did to the Quebec Forwarding Company. He would advise the member who has charge of the measure to refer it to a select committee, so that the bill might be remodelled to suit the views of the majority of the House. If the House would recede from the decision it had come to on a former occasion, he would most heartily rejoice.¹⁰

MR. BALDWIN, when once the opinion of the House has been taken on the matter, every bill ought to be adapted to it. The committee on private bills ought not to have reported a bill containing a clause limiting the liability, without some remark, after the opinion of the House had been declared on the subject.¹¹

MR. SOL. GEN. SHERWOOD, the principle has been fully discussed, and altho' there was a wide distinction between the two companies, yet the liability of this company ought not to be limited. There are already paper manufacturers in Toronto and elsewhere, who are not incorporated, and therefore, their liability is not limited, it would then be giving this company a decided preference, to limit their liability. He would advise the hon. gentleman who had charge of the bill to move that the committee rise and then refer the bill to a select committee.¹²

MR. MEYERS had no objection to the liability of the company being made double the amount of the stock.¹³

MR. BOULTON, if this House conceives that they are pledged to the principles of not limiting the liability of any company, then he would tell them that they had adopted a bad principle. (Hear, hear.) He

conceived that it would most effectually put a stop to all manufactures. He would inform this House that there was not as much brown paper made in this country as we consume, and that paper of that superior quality which is made in Great Britain cannot be made here; this House ought not to refuse to incorporate this company. It would be far better to incorporate any one company with a large capital than to have a lot of pedling (sic) ones.¹⁴

MR. PRICE, it appears that all the arguments in favour of the limited liability of the company are drawn from the fact that the House incorporated the Sherbrooke Cotton Factory last session. It will be recollected that he had opposed the bill, but that the member for Sherbrooke with his usual warning way, stated that the House had led the Company to believe that they would be incorporated with a limited liability, and that it would be unfair for them at that time to draw back, and on this account the bill passed. In reference to the report of the committee on private bills, he stated that they had mentioned the subject in their report.¹⁵

MR. HALE ((spoke in favour of the bill.))¹⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Wentworth reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

"La Banque
des Mar-
chands" Bill.

On motion of Mr. Leslie, seconded by the Honourable Mr. LaFontaine,

Ordered, That the Bill to incorporate "La Banque des Marchands," be committed to a Committee of the whole House on Monday next.

Railroad Bills.

The Honourable Mr. Robinson, from the Select Committee on Railroad Bills, presented to the House the Fifth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Your Committee have had under their consideration the Bill referred to them, to alter and amend the Charter of the Great Western Railroad Company, and have made several amendments thereto, which they submit to your Honourable House.

On motion of Mr. Smith of Wentworth, seconded by Mr. Roblin,

Great Western
Railroad Bill.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the Bill to alter and amend the Charter of the Great Western Railroad Company, as reported by the Select Committee on Railroads.

The House accordingly resolved itself into the said Committee.

Mr. Smith of Frontenac, took the Chair of the Committee,¹⁷

MR. SOL. GEN. SHERWOOD (Toronto) objected to the 20th¹⁸ clause,

giving power to the shareholders to alter the act so far as it related to arrangements between the shareholders in Canada and those in England.¹⁹ This clause was making the company a legislature, with power to alter or amend the acts of this legislature. This was giving a power which he could never consent to: he had no objection to give them the power to make bye-laws²⁰ on these subjects, and afterwards to repeal them if they thought proper, but he could not consent to allow them to change laws enacted by the Legislature²¹; he could never consent to such power being delegated to any person or persons. It was a proposition that was never proposed to any legislature before.²²

MR. MOFFATT, the object was to allow them to make any arrangements among themselves for their mutual protection, and to embody them in the ... act, instead of making a bye-law for the occasion.²³

MR. SOL. GEN. SHERWOOD, it was delegating the power to alter the acts of this legislature.²⁴

MR. ROBINSON, it only gives them the same power to alter the act, as they would possess by a bye-law.²⁵

MR. BALDWIN, it certainly gives them the power to alter the act of Parliament.²⁶

MR. MOFFATT, if any member will shew that the clause will in any way affect the public credit, he would go with them, but as long as it merely affects the company itself, he would vote for the clause.²⁷

MR. BALDWIN, the orders of the company will then become part of the laws of the land.²⁸

MR. MOFFATT, no more than the bye-laws will, they will be recognised by Courts of law.²⁹

MR. SOL. GEN. SHERWOOD, no bye-law can be made repugnant to the act of Parliament.³⁰

MR. LAFONTAINE said a few words in French.³¹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Frontenac, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Message from
Legislative
Council.

*A Message from the Legislative Council, by
John Fennings Taylor, Esquire, one of the Masters
in Chancery:--*

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment.

Witnesses At-
tendance Bill.

*"An Act to enforce the attendance of Witnesses
before Magistrates in Lower Canada, in certain
cases."*

Forgery Bill.

"An Act to amend the Law in cases of Forgery."

And also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly.

Trafalgar
Road Bill.

"An Act to incorporate certain persons, as the Trafalgar, Esquesing, and Erin Road Company."

Building So-
cieties Bill,
(U. C.)

"An Act to encourage the establishment of certain Societies, commonly called Building Societies, in that part of the Province of Canada, formerly constituting Upper Canada."

And then he withdrew.

Printed.

Ordered, That one hundred and fifty copies of the Petition of Osgood Peasley and others, of the Township of Bolton, be printed for the use of the Members of this House.

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Member added
to a Com-
mittee.

Ordered, That Mr. Thompson be added to the Select Committee to which was referred the Bill to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a

City.

On motion of Mr. Boulton, seconded by the Honourable Mr. Solicitor General Sherwood,

Building So-
cieties Bill,
(U. C.)

Ordered, That the amendment made by the Legislative Council, to the Bill intituled, "An Act to encourage the establishment of certain Societies, commonly called Building Societies, in that part of the Province of Canada, formerly constituting Upper Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 6, line 13,--Leave out all the words from "and" to "officer," both inclusive, in line 22.

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Boulton do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of the Honourable Mr. Cayley, seconded by the Honourable Mr. Attorney General Smith,

Duty on
Spirituous
Liquors.

Resolved, That this House will, on Tuesday next, resolve itself into a Committee of the whole House, to take into consideration the propriety

of repealing certain Acts, and to impose a Duty on persons selling Spirituous Liquors and keeping Houses of Entertainment, and to provide for the collection of the said Duty.

Vacancies in
Corporations
Bill, (L. C.)

Ordered, That Mr. Drummond have leave to bring in a Bill to define and extend the powers of the Court of Queen's Bench, in Lower Canada, relative to Usurpations and Vacancies occurring in Corporations, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House,³²

MR. DRUMMOND, ... said - This bill is introduced for the purpose of giving redress to aggrieved parties in cases of usurpations in Corporations. There are now two modes of proceeding in these cases; the first is a criminal proceeding and the other is a civil proceeding, regulated by the statute of Queen Anne. The criminal proceeding, being an information filed in the name of the Attorney General, was of course introduced into Lower Canada with the whole criminal law of England. This proceeding, in consequence of the many delays attending it, fell into disuse; and the statute of Queen Anne was passed to give a more expeditious remedy to persons who complained of being deprived of their just rights in Corporations. - This act makes the information in the nature of a Quo Warranto a civil proceeding, and it could be taken out at the relation of any private individual. The general impression was, that this statute was in force in Lower Canada. He wished to introduce this statute only, making the proceedings more summary. He did not desire to allow every person to disturb individuals in the possession of corporate offices, but only those who have an interest in the office. He wished also to supply a defect in the common law with respect to returns of Writ of Mandamus, for now if a false return is made there is no remedy. He intended to give the Judges power to proceed in the cases in vacation, as is now done, to great advantage in cases of lessors and lessees. Without this power individuals might protract the proceedings until the term in which the corporate office was to be held, had expired.³³

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and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

On motion of Mr. Cummings, seconded by Mr. Powell,

R. Randall's
Case.

Resolved, That this House do now resolve itself into a Committee of the whole House, upon the Report of the Select Committee to which was referred the Petition of J. H. Culp, of the Township of Stamford, in the District of Niagara.

The House accordingly resolved itself into the said Committee.

Mr. Lantier took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lantier reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.
Printed.

Ordered, That one hundred and fifty copies of the Report of the Select Committee to which was referred the Petition of J. H. Culp, of the Township of Stamford, in the District of Niagara, be printed for the use of the Members of this House.

Private Bills.

Mr. Hale moved, seconded by the Honourable Mr. Solicitor General Sherwood, that the Select and Standing Committees be authorized to proceed to the consideration of any such Private Bills as shall now be referred to them and not reported upon; any Rule of this House which requires that such Bills be previously posted during eight days in the Lobby of this House, to the contrary notwithstanding.

The Question having been put upon the said motion, a division ensued, and it passed in the negative.

On motion of Mr. Chalmers, seconded by Mr. Cummings,

Trafalgar Road Bill.

Ordered, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to incorporate certain persons as the Trafalgar Esquesing, and Erin Road Company," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 3, line 20.--After "part," insert, "or if such owner or occupier shall be a minor."

" " " " After "in," insert "any."

" " " 21.--Leave out "of Gore," and insert, "in which the land is situate."

" " " 31.--After "place," insert, "which notice shall be in writing, and served on each party respectively."

Press 8, line 23.--After "Gore," insert, "and in any Newspaper or Newspapers that may be published in the said District of Wellington."

Press 11, line 22.--After "District," insert, "and in any Newspaper of Newspapers published in the Wellington District."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Chalmers do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Message from Governor General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of

the House being uncovered, and is as followeth:--

CATHCART.

Quebec Fires.

The Governor General recommends to the Legislative Assembly, that measures should be adopted to authorize the issue of Debentures on the credit of the Province, to an extent not exceeding one hundred thousand pounds, at a rate of interest not exceeding five per cent. per annum, to be employed in assisting by loan those persons, who having had their houses and buildings destroyed by the late fires in the City of Quebec, are desirous of rebuilding.

The loan to the sufferers to be at a rate of interest not exceeding £3 per cent., and to be secured on the Real Estate of the parties receiving the same, and when necessary, further security to be given.

GOVERNMENT HOUSE,
7th May 1846.³⁴

MR. SOL. GEN. TASCHEREAU moved that the House take the said Message into consideration on Tuesday next.³⁵

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Returns to
Addresses.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

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Collectors of
Tolls, Wel-
land Canal.

Return to an Address from the Legislative Assembly to His Excellency, the Administrator of the Government, dated the 22nd ultimo, praying that His Excellency would be pleased to cause to be laid before them "a Statement of the Names of all Collectors of Tolls on the Welland Canal, and Cut, at the mouth of the Chippawa River, the amount of their Salaries during the past year, together with the amount of Tolls collected by them respectively during that period."

STATEMENT of the Names of all Collectors of Tolls

on the Welland Canal, and Cut, at the Mouth of
the Chippawa River, the Amount of their Sal-
aries during the past year (1845), together
with the Amount of Tolls collected by them res-
pectively during that period, prepared in obedi-
ence to a Resolution of the Honourable the Leg-
islative Assembly of the 22nd April, 1846:--

Names of Collectors.		Amount of Salary per Annum.	Amount collected by each respectively.	Remarks.
John Clark	...	Port Dalhousie ...	£ 150 0 0	Pay-Master on the Works of the Welland Canal; no allowance as Collector.
George Prescott	...	Saint Catharines	£ 3376 13 2	
Duncan MacFarlan	...	Port Robinson ...	1081 2 10	
Thomas Farrie	...	Port Colborne ...	£3 15s. 0d. per month during the season of navigation ...	Appointed 1st July, 1845, £100 paid for 1st year; the Work here is closed at present, in consequence of the repairs now going on.
William Benson	...	Port Maitland and Broad Creek ...	500 3 3	
Andrew Thompson (in place of Sheehan)	...	Dunnville ...	12561 1 4½	
James Cummings	...	Chippawa Cut ...	150 0 0	Appointed in the place of Thomas C. Newberry, in August, 1845, who received £37 10s., and £50 paid Benson, being at the rate of £150 per annum.
			5s. per day, throughout the year.	
			1820 8 0½	
			383 4 3½	50 per cent. on amount collected. Salary now established at £75 per annum.
			£19886 10 5½	

INSPECTOR GENERAL'S OFFICE,
Customs Department, May 1846.

J. W. DUNSCOMB,
Commissioner of Customs.

And also,

Bytown
Crown Tim-
ber Office.

Return to an Address from the Legislative Assembly to His Excellency, the Administrator of the Government, dated the 31st March last, praying that His Excellency would cause to be laid before them "A Statement in detail of the transactions in the Crown Timber Office in Bytown, for the year 1845, exhibiting the number of Rafts passed, owner's name, the amount of Duty upon each Raft, the gross amount of Revenue for the year, the names of the Agent, Clerk, and Servants, and the salary to each, and any other expenses connected with the office; also, the amount paid by Government for Surveys, and the amount paid by each individual lumberman for such services; the number of timber limits, occupied or granted, the locality, the name of the party to whom granted, and the amount of deposit on each,--together with the whole of the subject matter of the Commission of Enquiry appointed to investigate the affairs of the Crown Timber Office in Bytown, and the expense in detail of such Commission."

(For the said Return see Appendix C. C.)

On motion of Mr. Sherwood of Brockville, seconded by Mr. Smith of Frontenac,

Brockville
Assessment
Bill.

Ordered, That the Bill to provide for an assessment of Real and Personal Property in the Town of Brockville, according to the annual value or rental thereof, and for other purposes, as reported by the Standing Committee on Private Bills, be committed to a Committee of the whole House, on Wednesday next.

Montreal
Roads.

Mr. Cummings, from the Committee of the whole House on the First Report of the Select Committee, to which was referred the Petition of E. Guy, Esq. and others, residing on the Lower Lachine road, and other references, reported, according to Order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:--

1. Resolved, As the opinion of this Committee, that it is expedient to authorize the Trustees of the Montreal Turnpike Roads to Macadamize the undermentioned roads, and to erect Toll Gates, and levy such tolls thereon, as may be necessary to maintain the same in repair, and to pay the interest, and ultimately redeem the principal of the sum to be expended in the construction of the same, viz.:
 - 1st.--A Road from the Upper Lachine to the Lock at St. Ann's, along the shores of the River St. Lawrence.
 - 2nd.--A Road from L'Abord à Plouffe to the Village of Ste. Geneviève, along the shore of Rivière des Prairies.
 - 3rd.--A Road from the Pavilion on the Lower Lachine Road to the eastward of Lachine Church, along the shore of the St. Lawrence river.

- 4th.--That part of the Road in the Parish of St. Laurent, connecting the Turnpike Roads leading from the City of Montreal to L'Abord à Plouffe, and the Sault-au-Récollet.
2. Resolved, As the opinion of this Committee, that it is expedient to authorize the Trustees of the Montreal Turnpike Roads to bor-

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row a further sum of twenty-seven thousand pounds, currency, at a rate of interest not exceeding six per cent per annum, for the purpose of carrying into effect the above improvement, the principal and interest of the said sum to be secured on the Tolls thereon.

Mr. Jobin moved, seconded by Mr. DeWitt, that the Question of Concurrence be now separately put upon each of the said Resolutions.

Mr. Lantier moved in amendment, seconded by Mr. Berthelot, that all the words after "That" in the said motion, be struck out, and the following substituted: "The said Resolutions be now recommitted to a Committee of the whole House, with a view of considering the expediency of enabling the Trustees of the Montreal Turnpike Roads to open a direct road of communication from the St. Ann's Locks to the City of Montreal, either by Macadamizing a road from St. Ann's to the Village of Pointe Claire in as straight a line as convenient and possible, and thence from Pointe Claire in a straight course to the Macadamized road of Côte St. Antoine, as recommended by the Chairman of the Board of Works, in his letter of the eighteenth April last, annexed to the Appendix to the Report of the Select Committee on the Petition of E. Guy and others, or by opening a road in a straight line from St. Ann's to the Côte St. Antoine, through the interior of the Island of Montreal, instead of following the course recommended by the Resolutions adopted in the Committee of the whole."

MR. COLVILLE opposed the motion. He was convinced by the petitions and maps which had been laid before the Committee, that the route chosen was the best. Although the other might be shorter by three miles; yet the fact of having to ascend and descend the mountain, more than counterbalanced it. The proposed road cut up the farms of the habitants and he had seen too much of the disadvantages arising from lands being divided by canals to desire to have any thing to do with a repetition of it.³⁶

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The Question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, Bouthillier, Cauchon, Chauveau, DeBleury, Ermatinger, Lantier, Macdonald of CORNWALL, Macdonald of GLENGARRY, Moffatt, Murney, and Robinson.--(12.)

NAYS.

Armstrong, Aylwin, Baldwin, Bertrand, Cayley, Chabot, Christie,

Colville, Cummings, Desaulniers, DeWitt, Drummond, Foster, Guillet, Jobin, LaFontaine, Laterrière, Laurin, Leslie, M'Connell, Mithot, Meyers, Papineau, Price, Roblin, Taché, Solicitor General Taschereau, and Viger. --(28.)

So it passed in the negative.

The Question being then put on the main motion, it was agreed to by the House.

And the said Resolutions being again severally read, and the Question being separately put upon each, they were agreed to by the House, and Resolved, Accordingly.

Bill. Ordered, That Mr. Jobin have leave to bring in a Bill to amend and extend the provisions of the Laws relative to Turnpike Roads, in the neighbourhood of Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Quebec Incorporation Laws Amendment Bill.

Mr. Jobin, from the Committee of the whole House, on the Bill further to amend the Ordinances incorporating the City of Quebec, and for other purposes, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Huntingdon Plank Road Bill.

Mr. Price, from the Committee of the whole House, on the Bill to incorporate "the Huntingdon Plank Road Company," reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Ferries Bill, (U. C.)

Mr. Chauveau, from the Committee of the whole House, on the Bill to explain and amend a certain Act therein mentioned, and to make further provisions concerning Ferries in Upper Canada, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Registry Laws Bill, (U. C.)

The Order of the Day for the House in Committee on the Bill to consolidate and amend the Registry Laws of Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Taché took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Taché reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

*Common School
Bill, (L. C.)*

The Order of the Day for the second reading of the Bill to repeal certain enactments therein mentioned, and to make better provision for Elementary Instruction in Lower Canada, being read;³⁷

MR. COM. CR. LANDS PAPINEAU, ((fit)) motion que le bill des écoles fût lu une seconde fois³⁸. Il considère que personne ne peut avoir d'objection à cette mesure; il a déjà énoncé dans une précédente occasion les causes qui l'auraient induit à remodeler la loi passée l'année dernière. Il ne considère pas qu'il soit nécessaire de répéter ce ... qu'il a déjà dit plusieurs fois. Les honorables membre (sic) savent tous qu'il existe dans la loi actuelle, des défauts que leur expérience leur a indiqués; des amendemens sont généralement demandés, et il valait mieux les incorporer tout ensemble dans l'ancienne loi que de législater par voie d'amendement; des lois comme la loi d'éducation, doivent être entre les mains de tout le monde; ce sont des lois faites pour le peuple et que le peuple est appelé à mettre chaque jour en pratique: il serait dangereux d'obliger le peuple à comparer sans cesse deux lois différentes; il valait mieux rappeler l'ancienne loi et en faire une nouvelle. Le principal changement que contenait la loi nouvelle, consiste dans la substitution d'une cotisation forcée à la contribution volontaire.³⁹ On se rappelait que l'acte de la dernière session laissait la cotisation à l'action volontaire des habitans; mais ... l'expérience avait montré que cette disposition était inutile.⁴⁰ On a trouvé que cette contribution volontaire n'avait opéré avec efficacité que dans un petit nombre de localités. Il n'était pas juste d'ailleurs que les mêmes personnes fussent toujours obligées de contribuer, tandis que les autres n'en faisaient rien. La contribution forcée est la seule juste parce qu'elle est la seule qui pèse également sur tout le monde. Quand aux autres dispositions elles sont peu importantes et sont destinées à remédier à quelque obscurité dans différentes clauses. Il y a aussi quelques autres changemens que lui (M. Papineau) se ferait un plaisir d'expliquer aux honorables membres, lorsque le bill (sic) sera discuté dans ses détails dans le comité de toute la chambre. Ses obscurités et ses défauts sont dues (sic) en grande partie à ce que le bill après avoir été amendé dans un comité général a été encore amendé de nouveau dans le comité général; les amendemens ainsi introduits répugnaient à d'autres dispositions de la loi.⁴¹

M. LAURIN - M. l'orateur, je dois m'opposer à la seconde lecture de ce bill. L'année dernière je me suis opposé à la seconde lecture d'un bill semblable; la seule différence qui existe entre ce bill et celui de l'année dernière, c'est que l'année dernière, on avait admis la contribution volontaire et que cette année on la rejette. La raison pour laquelle je me suis opposé au principe du bill l'année dernière, c'est que je suis opposé en principe à toute taxation directe. Je dois donc

être à plus forte raison opposé au présent bill. L'année dernière on avait laissé aux habitants la faculté de se taxer eux-mêmes, de contribuer volontairement; cette année on les taxe directement. Pour être conséquent avec moi-même, et je crois qu'un de nos premiers devoirs ici c'est d'être conséquent, je dois voter contre le bill de cette année qui va plus loin encore que le bill de l'année dernière. On prétend que des taxes pour l'éducation du peuple ne sont pas des taxes. Si toutes les taxes qui ont un bon objet n'étaient pas considérées comme taxes, je ne sais pas alors ce qu'il faudrait appeler taxes. Il est bien bon d'avoir de beaux chemins; il est bien bon d'avoir une bonne police, et l'on trouve toujours des prétextes pour imposer des taxes directes, si on veut les justifier par l'objet qu'elles ont en vue. Je crois que le pays est trop pauvre pour endurer l'imposition de taxes directes pour quelque objet que ce soit: lorsqu'on aura commencé pour l'éducation, on continuera pour d'autres objets et personne ne peut dire où cela finira. Le mieux est de s'en tenir aux principes et si l'on veut encourager l'éducation, de le faire à même les fonds de la province sans avoir recours à aucun système de taxation. Quand (sic) je me suis opposé l'année dernière au principe du bill je me suis trouvé seul et je n'ai eu personne pour seconder ma motion.⁴² Il proposerait cette année que le bill fût lu une seconde fois dans six mois, et cette fois, il espérait⁴³ être plus heureux ... et je choisirai sur les bancs de l'administration celui qui devra seconder ma motion. (Ecoutez! écoutez!)⁴⁴ (rires)⁴⁵ L'hon. solliciteur-général pour le Bas-Canada a fait une déclaration de principes semblables aux miens. J'ai ici la tant fameuse adresse de l'hon. solliciteur-général à ses électeurs, et chacun sait que l'hon. monsieur dit dans cette adresse qu'il est opposé aux taxes parce que le pays est trop pauvre pour les endurer. (M. Laurin lit une partie de l'adresse de M. Taschereau.) Maintenant, M. l'orateur, je viens sommer l'hon. solliciteur-général de remplir sa promesse. Voici la meilleure occasion du monde, qui se présente: il a promis⁴⁶, dans son discours sur les hustings,⁴⁷ à ses électeurs de s'opposer aux taxes; de voter contre les taxes: qu'il me dise maintenant qu'il n'y a pas de taxes d'imposées par ce bill que l'administration veut faire passer. Je propose, M. l'orateur, que le bill soit lu une seconde fois dans six mois, j'espère que je puis ajouter: secondé par M. Taschereau.⁴⁸

MR. SOL. GEN. TASCHEREAU. - Non, l'hon. membre sait bien que je ne seconderai pas sa motion.⁴⁹

M. CHAUVEAU - Alors, je la seconde. (Ecoutez! écoutez!)⁵⁰

M. BERTHELOT est surpris que l'hon. membre pour Lotbinière connaissant les dispositions de la chambre puisse faire une pareille motion.⁵¹ ((Il)) était d'accord avec l'honorable membre qui s'opposait à la taxe, lorsqu'elle serait prélevée pour d'autres fins que pour celles de l'éducation; mais⁵² l'instruction est le premier et le plus grand besoin du pays. Sans l'instruction élémentaire, universelle, le pays est perdu, les Canadiens-français sont supplantés.⁵³ Le soleil qui éclaire aujourd'hui le monde intellectuel, n'était pas le même qui brillait aux jours de nos pères. Nous étions dans un siècle de la lumière, et le meilleur moyen, pour chacun, de devenir prospère, était d'employer ses connaissances pour lui-même et pour la société en général.⁵⁴ Il

sent bien que l'on demande, pourquoi faire un loi différente de celle qui existe déjà; pour quoi pas se borner à des amendemens; mais c'est justement le moyen d'éviter la confusion. On demande pourquoi ôter la contribution volontaire; mais cette contribution volontaire ne pourra jamais réussir; il y en aura qui donneront, mais il y en aura d'autres qui ne donneront pas. Il y a une clause du bill dont lui, M. Berthelot, est très content; c'est celle qui laisse aux commissaires d'école le pouvoir de choisir les livres dont on se servira dans les écoles de leur juridiction. On pourra objecter à cette clause que dans les autres pays, l'instruction publique est soumise à une direction conforme; que le choix des livres pour tout le pays est fait par l'autorité supérieure. Cela serait dangereux dans ce pay-ci: il serait à craindre qu'avec les idées que bien des gens entretiennent, on n'en profitât pour empêcher l'introduction de nouveaux ouvrages. En supposant que les commissaires ne seraient pas des gens instruits eux-mêmes, au pis aller, ils laisseront faire, et on suivra dans les écoles la vieille routine, on continuera à lire les mêmes misérables petits livres qu'on lit depuis si longtemps: mais, s'il se trouve parmi les commissaires des hommes instruits et des hommes de progrès, il ne leur sera pas interdit de faire les améliorations qu'ils jugeront utiles.⁵⁵ Après s'être informé avec soin quelles étaient les personnes qui se portaient ainsi avocats de ce principe d'uniformité, il avait découvert que c'était de misérables vendeurs de livres qui se croyaient des hommes savans parce qu'ils vendaient des livres et qui n'étaient mûs que par le seul intérêt de disposer de leurs marchandises.⁵⁶ Il y a toujours eu dans tous les pays des hommes qui se sont opposés aux progrès des sciences et des lumières; il se trouvait autre fois des hommes qui ne voulaient pas qu'on enseignât autre chose que ce qui était conforme aux doctrines d'Aristote; ces gens avaient écrit des traités et des commentaires sur Aristote, et ils ne voulaient pas qu'on vendit autre chose que leurs livres. On a persécuté dans des vues intéressées l'esprit d'analyse qui s'est introduit dans toutes les sciences, mais cet esprit d'analyse est fondé sur la nature même des choses, il est dans la nature de l'esprit humain; c'est la base et la cause de toutes les observations que nous faisons; cet esprit là devra prévaloir dans l'éducation élémentaire comme ailleurs. C'est en vain que l'on dit que nous devons borner à faire ce qui se faisait autrefois. Le monde entier est en progrès et nous devons marcher avec lui.⁵⁷

MR. SOL. GEN. TASCHEREAU, - Je dois répondre à ce qui a été dit par l'honorable membre pour le comté de Lotbinière. Ce n'est pas la première fois que l'on fait allusion à une adresse aux électeurs de Dorchester, et qu'on lui accorde une importance que selon moi, elle ne mérite pas (écoutez!) Si l'honorable membre veut dire que j'aie promis à mes électeurs de m'opposer à une cotisation pour l'éducation, je dois dire que je ne leur ai jamais rien promis de semblable. Je faisais allusion dans mon adresse à des taxes territoriales, à des taxes prélevées pour le soutien du gouvernement général; mais non pas à des cotisations locales qui tournent entièrement au profit des localités, et surtout pour un objet aussi important que l'éducation. Les habitans de mon comté, M. l'orateur, redoutaient beaucoup des

taxes territoriales; on avait fait courir le bruit que le gouvernement allait adopter ce système. Ce ne sont pas les Canadiens-français qui en sont le plus effrayés, c'est la population d'origine britannique; ce sont particulièrement les irlandais des townships, ils ont laissé l'Europe pour fuir des impôts qui les écrasaient; ils redoutent le même sort dans ce pays.⁵⁸ Il devait ajouter ((par conséquent)) que ses paroles sur les hustings ne s'adressaient pas tant aux gens des seigneuries qu'aux habitants des townships.⁵⁹ J'ai expliqué avant mon élection ce que j'entendais par taxes, et je ne crois pas que mes électeurs s'attendent à ce que je m'oppose à la cotisation pour les fins du bill que nous discutons. La différence qui existe entre cette loi et celle de l'année dernière me paraît peu considérable; en faisant disparaître la cotisation volontaire, on rend justice à tout le monde et on vient véritablement aux secours des gens de bonne volonté sur qui retombe à présent tout le fardeau de la cotisation volontaire. Il est juste que tout le monde paie, chacun à proportion de ses moyens. D'ailleurs le principe de la cotisation forcée était déjà contenu dans la loi existante, il ne s'agit seulement que d'en rendre l'application plus facile. Je dois dire, cependant, M. l'orateur, que je proposerai des amendemens à certaines dispositions de la loi. Le montant de la cotisation est beaucoup trop élevé pour les circonstances dans lesquelles se trouve le pays. Je pense bien que dans le district de Montréal, on pourra supporter cette cotisation; mais je crois qu'elle est beaucoup trop forte pour le district de Québec, où il se trouve des paroisses très pauvres. Le manque de récolte depuis plusieurs années, et les malheurs de tous genres qu'ont souffert certaines parties de notre district font que dans bien des endroits on ne pourra pas exiger de contributions pécuniaires bien considérables (sic) de la part des habitants. Lorsque le bill sera discuté en comité général, je proposerai que l'on ait quelque égard pour ces circonstances.⁶⁰ Mais il était persuadé en même tems qu'il fallait encourir quelques dépenses pour procurer un aussi grand bienfait que celui de l'éducation.⁶¹

M. COLVILLE s'exprime en anglais⁶². ((He)) wished the bill to be referred to a select committee, as he proposed to make some amendments with respect to dissentient schools. He had received a petition from the managers of a dissentient school in Beauharnois, containing sixty scholars, which contained useful advice on this subject. He was surprised that any one could be found to second the amendment, for if it is so unpopular to advocate a forcible assessment for education, it only shews that education is very necessary. He was willing to bear his share of the unpopularity of passing this bill.⁶³

M. CHAUVEAU. - Les dernières paroles de l'honorable member pour Beauharnois nécessitent quelques explications de ma part. Je dois dire les raisons qui m'engagent à seconder la motion de l'honorable membre pour Lotbinière. Quelque soit le résultat de cette motion, elle aura toujours eu un bon effet, celui de faire prendre la parole à l'honorable solliciteur-général pour le Bas-Canada. C'est la première fois qu'il daigne nous dire sa pensée sur un sujet important. Je ne savais à quoi attribuer son silence. Comme le comté de Mégantic

est le comté voisin du comté de Dorchester j'ai craint un instant que le mutisme parlementaire ne fût une maladie contagieuse; j'ai soupçonné aussi que c'était un symptôme d'inamovibilité (écoutez! écoutez!) Dans tous les cas je suis bien aise d'avoir entendu l'honorable solliciteur-général. Il me semble que la distinction qu'il fait entre les taxes territoriales (sic) et la cotisation aurait pu trouver place dans son adresse aux électeurs. Un mot d'explication n'aurait pas été de trop. Il est vrai que l'honorable solliciteur-général a le soin de nous dire que cela était destiné à produire de l'effet sur la population (sic) irlandaise. C'était du Bunkum pour les townships⁶⁴ not ... for the Seigniories⁶⁵! Tant mieux donc! Je suis fier d'apprendre que mes compatriotes sont au-dessus de pareils moyens d'influence. J'avouerais cependant que ceux des électeurs de Dorchester qui n'étaient pas dans les secrets de l'honorable solliciteur-général doivent s'attendre à ce qu'il vote contre toute taxe, sous quelque prétexte que ce soit; et j'avoue encore que l'honorable membre pour Lobinière (sic) me doit quelque reconnaissance pour être venu à son secours, lorsqu'il était dans une position aussi cirtique, abandonné de son allié naturel: (écoutez! écoutez!)

Je dois dire cependant que je suis sérieux et très sérieux en secondant la motion de l'honorable membre pour Lotbinière (écoutez!) Oui je suis sérieux et je m'occupe peut (sic) que l'on m'accuse d'inconséquence. Je voudrais bien savoir qui est plus conséquent ou de celui qui veut maintenir la loi qu'il a faite, ou de celui qui veut la rappeler? Certes, M. l'Orateur, s'il n'existait pas de loi d'éducation, j'en voudrais une à tout prix, j'accepterais cette loi qu'elle (sic) qu'elle fut⁶⁶, qui aurait pour but de promouvoir l'instruction du peuple⁶⁷. Sur un pareil sujet il vaudrait mieux avoir une loi défec- tueuse que de n'en pas avoir du tout; mais il vaudrait mieux conserver une loi défectueuse que de jeter l'incertitude dans les esprits par une législation toujours incertaine, par une législation dépouillée de tout prestige moral, du moment qu'elle n'a pas de stabilité.⁶⁸ Puisqu'il existait une loi, et que cette loi n'avait été passée que dans la dernière session, il pensait que c'était procéder d'après un faux principe que de la changer dès à présent.⁶⁹ Comment voulez-vous que le peuple croie à vos lois, quand vous n'y croyez pas vous-mêmes? Quelles garanties nous donnerez-vous que vous législaterez mieux cette année que l'année dernière? L'expérience d'une année n'est rien pour une loi de cette importance. Mais, dites-vous, les changemens sont peu importans? Alors, pourquoi tant vous hâter: et pourquoi surtout rappeler la loi en entier? Mais, dites-vous encore, les défauts sont dans le style de la loi. En quoi le style de votre nouveau projet est-il meilleur? C'est toujours, autant que j'ai pu en juger, la même diction, qui n'est ni la phraséologie législative anglaise, ni la française, un style lourd, empâté, diffus et obscur, avec la prétention d'être clair et concis, un style que je n'ai vu nulle part ailleurs. La facilité avec laquelle nous législatons sur tous les sujets imaginables est quelque chose d'effrayant. Je ne pense pas qu'il y ait un autre pays dans le monde où l'on s'occupe tous les ans à démolir et à reconstruire les bases mêmes de l'édifice social, où l'on défasse et refasse chaque année la judicature, l'instruction

publique et le système municipal. Et dans quelles conditions sommes-nous pour législater comme à la tâche en des objets aussi importants? Dans quelles conditions sommes-nous? Dans des conditions telles qu'au lieu de législater chaque année sur chaque sujet, nous devrions législater le moins possible. Nous sommes dans un pays divisé et subdivisé à l'infini en milles catégories politiques, sociales et religieuses, au milieu d'animosités et de luttes incessantes, tellement que c'est avec la plus grande difficulté que nous pouvons nous entendre sur un point quelconque. Et c'est dans un tel pays que vous voulez revenir sans cesse sur des sujets sur lesquelles (sic) vous ((vous)) êtes entendus si difficilement! dans quelles conditions sommes-nous encore dans cette chambre, pour prendre sur nous de législater chaque année sur chaque sujet? Nous sommes ici personnellement dans les conditions les plus défavorables pour bien législater. Je suppose, M. l'orateur, que l'on prenne 48 hommes de bon sens, (c'est une supposition que je fais) qu'on leur fasse subir le régime que nous suivons; qu'on les cloue tous les matins sur d'interminables comités; qu'on les cloue encore tous les soirs à d'interminables séances, qu'on leur fasse entendre bon gré mal gré les discussions les plus irritantes, qu'on les force à lire l'épouvantable masse de papiers imprimés que l'on met chaque jour dans nos mains; qu'on les traite ainsi pendant deux mois; et je suis persuadé qu'à l'expiration du temps pas un sur les 48 ne saura ce qu'il fait. (Écoutez!) Et c'est à la fin d'une session qu'on vient nous proposer gravement de législater sur des sujets aussi importants que la judicature, les municipalités et l'éducation! Il y a une chose certaine, c'est que si vous le faites, vous pouvez vous préparer à recommencer encore l'année prochaine.

L'honorable membre pour l'Ottawa nous dit qu'il n'y a vraiment dans son nouveau bill qu'un seul changement important, changement qui constitue le principe de son bill, à moins donc que le principe de ce bill ne soit que l'on doit rappeler sans nécessité la loi que nous avons passé (sic) l'année dernière. Je suis fâché alors de ne pouvoir concourir dans le principe du bill. Je considère cet amendement comme peu judicieux. Je répudie toute fois, distinctement et sans hésiter les doctrines de l'honorable membre pour le comté de Lotbinière: je ne suis pas plus opposé en principe à la taxe cette année que l'année dernière; je ne suis pas de ceux que le seul mot de taxe effraie assez pour leur faire abandonner les plus chers intérêts du pays. Je sens avec tous ceux qui ont déjà traité ce sujet dans la chambre que l'instruction élémentaire universelle est notre seul ancre de salut. Je sens que sans elle le Canada est perdu et qu'entre autres une race en particulier est perdue si elle repousse ce secours suprême. Cette race est celle qui séparée, dès son enfance, du pays qui aurait été pour elle comme pour le monde entier le foyer des lumières et du progrès, est soumise depuis plus d'un siècle à toutes les épreuves et lutte avec courage contre toutes les spoliations et les injustices: cette race est celle que pressent ici les flots de l'émigration plus envahissante que les vagues de l'Océan; celle qu'entoure une immense mosaïque de populations diverses, l'origine, de langage, de moeurs, de religions différentes et qui pour se maintenir au milieu de tout cela a besoin de se rendre, non pas égale, je crois qu'elle l'est déjà; mais supérieure à tout ce qui l'entourne. (Très bien! très-bien!) Je suis donc de ceux qui pour l'instruction populaire seraient prêts à faire tous les sacrifices. Je n'aurais pas insisté l'année dernière pour

admettre la contribution volontaire; il eut peut-être mieux valu procéder de suite à la taxation directe; puisqu'on a jugé à propos d'introduire ce système on ne devrait pas le changer sans de bonnes raisons (sic); on devrait attendre quelque chose de mieux que l'expérience d'une année. Il est à regretter, M. l'Orateur, que le rapport du surintendant de l'éducation ne soit pas encore imprimé. J'espérais trouver dans ce document les explications que l'honorable membre pour le comté de l'Ottawa a jusqu'ici dédaigné de nous donner. On se demande avec raison, où sont les faits, où sont les statistiques qui viennent à l'appui de ses avances! Si je jugeais de ce qui a dû se passer ailleurs par ce qui s'est passé dans le comté de Québec, je dirais que le système de la contribution volontaire est excellent dans toutes les paroisses du comté; je suis fier de le dire non seulement par ce que je représente ce comté, mais je suis fier de le dire comme Canadien, on a souvent payé au delà du montant que l'on avait droit d'exiger. La paroisse de Saint-Ambroise a fourni le double de l'allocation provinciale, je crois pouvoir en dire autant de la paroisse de Beauport. Je trouve que l'on aurait bien mauvaise grâce à dire aux citoyens généreux qui se sont ainsi cotisés; nous ne voulons plus de vos souscriptions, nous ne voulons recevoir de vous que ce que nous pouvons exiger la loi à la main. Et il y a beaucoup de comtés où les choses se sont ainsi passées (sic): ce serait faire un affront inutile au pays que d'établir une taxe forcée. La générosité, l'élan populaire doivent être encouragés plutôt que méprisés; dans certains cas, au lieu d'augmenter le revenu on en tirera les plus nobles sources.

Le système de la cotisation volontaire, s'il réussissait, serait plus conforme aux mœurs du pays et moins dispendieux, et puisqu'on a voulu en faire l'expérience on devrait le pousser plus loin. Il sera toujours temps de légiférer de nouveau. Après tout, si ce système réussissait, il n'y aurait rien de plus beau ni de plus honorable pour le pays. C'est à tort que l'on dit que nos cultivateurs veulent que leurs enfans restent tels qu'étaient leurs pères. Ils sentent bien que le temps de nos pères est encore plus éloigné de nous par la comparaison des choses, que par l'intervalle qui s'est écoulé. Le monde d'aujourd'hui n'est plus le monde d'autrefois. Le soleil qui nous éclaire n'est pas le même que celui qui éclairait nos pères; c'est le soleil de la science et de la civilisation. La terre sur laquelle nous marchons, n'est plus la même que celle qui portait nos pères. Elle sera bientôt sillonnée en tous sens par les chemins de fer, et les mille (sic) prodiges de l'industrie moderne. Une nouvelle vie est ouverte, il faut y entrer bon gré mal gré. Mais pensez-vous qu'il ne serait pas aussi bon que le pays s'y lançât de lui-même! vous l'avez invité à le faire; pourquoi lui faites-vous maintenant l'injure de l'y contraindre avant que d'avoir constaté son refus. J'admets qu'une taxe purement volontaire serait une absurdité, ou plutôt ne serait rien du tout; mais la loi, telle qu'elle existe, ne laisse pas au peuple une liberté qui puisse être fatale à la cause de l'instruction publique. Elle dit bien poliment aux contribuables: Messieurs, veuillez bien vous cotiser vous-mêmes, ou nous allons le faire pour vous. Il est vrai que ce dernier résultat n'a pu être obtenu, en raison d'une clause que contenait la loi, en raison d'une contradiction manifeste qui établissait un rapport inutile entre la municipalité et les commissaires d'école. Mais ne suffirait-il pas de remédier à cet inconvénient par un seul amendement court et clair, sans détruire l'alternative qu'on laissait

entre la cotisation volontaire et l'imposition? Quant aux autres changements, puisqu'on avoue qu'ils ne sont pas importants, pourquoi ne pas les différer jusqu'à ce qu'on ait constaté d'autres défauts ce qui ne manquerait pas d'arriver, et ce qui très certainement arrivera pour la nouvelle loi que nous allons faire.

La conduite de l'opposition l'année dernière dans cette circonstance a été digne de la circonstance, digne de l'opposition, digne du pays, malheureusement ceux qui auraient dû nous en remercier, s'en sont montrés indignes. Il n'y avait pas quinze jours que la loi introduite par l'administration avait été sanctionnée que les journaux ministériels déc-riaient l'oeuvre commune du ministère et de l'opposition, afin de rejeter sur nous la responsabilité entière de la mesure, tandis que nous, nous en avions généreusement accepté notre part.⁷⁰

Signes de dénégation de la part de MR. PRES. EX. COUN. VIGER.⁷¹

M. CHAUVEAU ((continua:)) Non? peut-être, me dira-t-on, que c'était afin de dénigrer le ministère, qu'un journal qui n'a plus de Canadien que le nom, qui ne sait que mordre au talon ceux qu'il n'a pas le courage d'attaquer en face, qui nous fait une guerre à coups de ciseaux, une guerre de citations et de traductions ((a)) signalé, tous les défauts de la loi actuelle peu de temps après la dernière session?

L'auteur de la loi lui-même n'a-t-il pas cherché à jeter sur nous la responsabilité des défauts qui s'y trouvent? A l'en croire, son bill était un chef-d'oeuvre et c'est nous qui avons tout gâté! Certes, si l'opposition a été généreuse l'année dernière, elle est plus que généreuse cette année! N'a-t-on pas vu les soutiens de l'administration renouveler les mêmes manoeuvres qu'ils avaient employées lors de l'élection générale, nous accuser d'être en faveur des taxes? Dans mon comté un personnage qui n'est pas inconnu de l'honorable (sic) solliciteur-général, un partisan de l'administration, un magistrat que l'on maintient dans sa place malgré les plaintes de toute une paroisse, a parcouru les campagnes, disant que l'opposition avait forcé le gouvernement à mettre des taxes!

M. Chauveau termine en disant qu'il ne redoute pas l'odieux qui pourrait s'attacher à des taxes pour l'éducation, si toutefois le pays pouvait être assez aveugle pour y voir quelque chose d'odieux, mais il n'aime pas à refaire tous les ans des lois aussi importantes, et il voudrait donner à l'alternative entre la cotisation forcée et la cotisation volontaire, ce qu'on appelle a fair trial.⁷²

MR. ARMSTRONG. - The system of voluntary contribution had not worked well in his county.⁷³ ((Il)) dit que si jamais il avait eu un vote à regretter pendant sa carrière de représentant, c'était celui qu'il avait donné l'année dernière, en opposition au bill de l'hon. membre pour Ottawa.⁷⁴ He had since the last session changed his mind with respect to the School and Municipal bills, for he was opposed to them, but having been engaged all the time since in carrying these bills into operation, he was of opinion that they would be useful to the country, especially if the tax was made uniform. The people have it all in their own hands, and they can make the tax as light as possible, but they ought to be made to educate their children.⁷⁵ Depuis ... ((l'année

dernière)), il avait voyagé dans les campagnes pour examiner si les dispositions de cet acte fonctionnaient librement, et il pouvait affirmer que, quoiqu'elle (sic) fussent impopulaires parmi certaines personnes, cependant chaque jour elle (sic) gagnaient du terrain dans la bonne opinion du peuple. On pensait généralement dans son comté qu'il avait voté pour la mesure, et il était tellement convaincu qu'elle était bonne qu'il n'avait jamais cherché à les détromper à ce sujet.⁷⁶ He considered that the limited time that the law was to last had been a serious injury to it⁷⁷. Certains démagogues dont plusieurs supportent l'administration avaient parcouru les campagnes pour exciter le mécontentement parmi le peuple, au sujet de cette loi, et il espérait qu'on allait maintenant la rendre permanente, afin que ces gens n'aient point l'occasion de dire que le gouvernement ne la remettra pas en vigueur, lorsque l'époque fixée par l'acte sera expirée. C'est ce qu'on avait crié sans cesse pendant l'année dernière; on avait excité les gens à se déclarer énergiquement contre cet acte, afin, disait-on, que la législature ne le remette plus en force, au bout des deux ans pour lesquels il a été passé.⁷⁸ He considered that the rates imposed by this bill are not taxation; it is only like many of the public duties that are now imposed upon the people such as mending the roads and bridges, &c.⁷⁹

MR. MCCONNELL.- This is a very important bill, and ought not to be thrown out in the manner in which the hon. member for Lotbinière desired. He was in favour of the system of voluntary contribution; in the county that he represented, there was only one township that raised the school money by taxation, and in consequence there are fifty or sixty suits for this money; all the others raise it by voluntary contribution.⁸⁰

M. LAFONTAINE dit que l'hon. membre qui avait proposé l'amendement paraissait ignorer que l'ignorance était une taxe plus forte que tout ce qu'on pouvait payer pour les écoles. Cette taxe devait être sentie dans beaucoup plus de circonstances. Un homme ignorant avait à payer une taxe indirecte soit qu'il vint au marché, soit qu'il fût engagé dans d'autres transactions commerciales, et il en payait souvent directement, lorsqu'il était obligé d'employer un notaire, pour rédiger des documens qu'il pourrait tout aussi bien rédiger lui-même. Il pensait qu'il y avait un grand nombre de personnes qui étaient opposées à une taxe forcée pour le soutien des écoles, et ces personnes étaient de deux classes: ceux qui sont assez riches pour mettre leurs enfans au collège, et qui par conséquent ne donneraient qu'en murmurant une contribution pour leurs voisins; et ceux qui sont trop pauvres pour supporter ce fardeau sans inconvénient, et trop ignorants pour désirer que leurs enfans le soient moins qu'eux. Il ne croyait cependant pas que l'opposition de ces personnes dût empêcher la passation du bill. Ainsi il était prêt à voter pour se (sic) seconde lecture.⁸¹

M. Lafontaine a entendu avec beaucoup de plaisir les explications de l'honorable solliciteur-général. Il est bien aise de voir que ce n'étaient (sic) pas sérieusement que M. le solliciteur-général s'était dit opposé aux taxes. La distinction entre les taxes territoriales et les cotisations est fort habile; mais lui, M. Lafontaine, n'avait jamais entendu dire que le gouvernement se proposait d'imposer des taxes territoriales. Peut-être que le solliciteur-général qui était sur le point

de faire partie de l'administration en savait plus long que lui. Alors on devait beaucoup de reconnaissance à l'honorable solliciteur-général. Puisqu'on a introduit ici le mot Bunkum, qui est une expression du Haut-Canada, il espère que c'est la dernière fois que l'on se permet de faire du Bunkum aux dépens de l'éducation. L'honorable membre pour Lotbinière prétend qu'il a voté contre le bill de l'année dernière. Il ne voit pas du tout qu'il y ait là de la consistance (sic). Pour être conséquent avec lui-même l'honorable membre pour Lotbinière ne devrait pas se contenter de voter contre le nouveau bill, il devrait proposer de rappeler l'ancien. Dans presque tous les comtés du district de Montréal, la cotisation volontaire a été inefficace. Il (M. L.) pense qu'elle sera de plus inefficace parce que ceux qui ont souscrit volontiers se lasseront bientôt de faire plus que leur part. L'honorable membre pour Dorchester a parlé de quelques localités qui sont trop pauvres pour faire leur part de l'oeuvre; si on prétexte la pauvreté du pays pour empêcher la nouvelle génération de s'instruire, il est clair que l'on parlera longtemps de notre pauvreté. Sans instruction notre population ne s'enrichira jamais. Il y a quelque chose de bien fort dans ce qu'a dit l'honorable membre pour le comté de Québec sur le danger de trop législater. Il est certain que le peu de stabilité de notre législation est un grand mal, mais ce n'est pas une raison pour ne pas corriger des lois defectueuses. Il avoue cependant que la loi que l'on propose a bien ses défauts, et si elle n'était pas amendée en comité général, il est loin d'être certain qu'elle valût mieux que la loi actuelle. Quant à faire des amendemens à une loi de cette importance, il vaut mieux la consolider dans un même statut avec les amendemens. Cela évite la confusion et les difficultés qui se soulèvent toujours sur l'interprétation de deux lois en force sur le même sujet.⁸²

M. CAUCHON ... ((s'exprima)) dans le même sens que M. Lafontaine.⁸³

DR. LATERRIERE ... ((s'exprima)) dans le même sens que M. Lafontaine. ((Il)) dit que jusqu'à présent des messieurs résidens dans les villes avaient pris part aux débats sur cette question; mais que lui, résidant à la campagne, pouvait dire ... que la loi actuelle opérerait très mal. Il pensait que des amendemens étaient indispensables.⁸⁴

M. CHAUVEAU - invita M. Laurin à retirer sa motion. Il était évident que l'opinion presque unanime de la chambre, était en faveur du bill.⁸⁵

M. LAURIN - Si l'honorable membre a regret d'avoir secondé ma motion, il peut retirer son nom.⁸⁶

M. CHAUVEAU - Alors la motion tomberait; (on rit). J'ai dit que j'étais très-sérieux en secondant la motion de l'honorable membre. S'il insiste je suis prêt, à voter seul avec lui. Seulement je voudrais éviter de prendre le temps de la chambre inutilement.⁸⁷

DR. TACHE ... prouve que la cotisation pour les écoles n'est pas une taxe, mais au contraire, une excellente spéculation, puisque non seulement le montant prélevé dans chaque localité se dépensait dans la localité, mais encore y attirait une somme égale. Il espère que les honorables membres n'auront pas peur de leurs constituans. Il a été lui-même élu sur le principe de la taxe pour les écoles; mais à une petite majorité. Il en est fier cependant; car c'est la victoire de l'éducation

sur l'ignorance. Il connaît d'honorables membres qui peuvent perdre cinq ou six cents voix et conserver encore d'assez belles majorités. Ceux-là sont plus heureux que lui; et ils ne devraient pas avoir peur (on rit.) Il espère que l'honorable membre pour la paroisse de Lotbinière se rendra au voeu unanime de la chambre et retirera sa motion. L'honorable membre pourra suggérer des amendemens en comité. Il est très important que cette loi passe unanimement.⁸⁸

MR. LAFONTAINE ... ((requested that)) Mr. Laurin ... ((withdraw)) his amendment⁸⁹.

M. LAURIN retire sa motion⁹⁰.

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The said Bill was accordingly read, and committed to a Committee of the whole House to-morrow.

Message from Governor General.

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

CATHCART.

King's College Correspondence.

The Governor General transmits, for the information of the Legislative Assembly, the Correspondence relating to King's College University, referred to in their Address of the 21st ultimo.

The Governor General informs the Legislative Assembly, that he is not aware of any Charge or Charges having been preferred to the Chancellor of the University, against any of the members of the College Council by other parties, beyond that contained in the Documents transmitted herewith.

GOVERNMENT HOUSE,
7th May, 1846.

(For the Documents accompanying the said Message, see Appendix, D.D.)

Memorial of Professor of Anatomy, King's College.

The Honourable Mr. Attorney General Draper laid before the House, by command of His Excellency the Governor General,

A Memorial of the Professor of Anatomy and Physiology in the University of King's College, and divers other Documents relating to the said University.

(For the said Memorial and Documents, see Appendix, D.D.)

Montreal and Kingston Railroad Bill.

The Order of the Day for the second reading of the Bill to incorporate "the Montreal and Kingston Railroad Company," being read;

The said Bill was accordingly read, and referred to the Select Committee on Railroads.

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Orders Post-
poned.

Ordered, That the remaining Orders of the Day be
postponed until to-morrow.

Then, on motion of the Honourable Mr. Viger, seconded by the Honourable
Mr. Papineau,
The House adjourned.

APPENDIX, 7 MAY 1846.

((NOTICE OF RESOLUTIONS RE: AGRICULTURE AND COMMERCE.))⁹¹

MR. WILLIAMS gives notice, that when the resolutions proposed by Mr. Merritt, in relation to the agriculture and commerce of the country, are taken into consideration by this House, he will move, in amendment, that the following be substituted in lieu thereof⁹², and if the said resolutions were not moved within seven days, he would then move these amendments as original resolutions.⁹³

Resolved, That this house views with the most serious apprehension and alarm, and as detrimental to the future peace and prosperity of this colony, the adoption of that proposed principle of commercial intercourse, now under the consideration of the imperial parliament.

Resolved, That this house has seen with unmingled satisfaction, the happiness and prosperity of the people of this province, advancing in steady and successful progression, under that moderate system of protection on her staple productions, (grain and lumber,) which the fostering hand of the parent state so wisely conceded.

Resolved, That this house is of opinion that the abandonment of this protective principle, is not only calculated materially to diminish our productions, but seriously to impair our ability to purchase the manufactured goods of the kingdom; inevitably tending to results, alike prejudicial to this colony and the parent state.

Resolved, That this house, grateful for the liability of the imperial government in guaranteeing the repayment of a loan of £1,500,000, to be expended in improving our internal communications, did cause the same to be appropriated to works of great magnitude (sic) and stability on the St. Lawrence and Welland Canals, and otherwise to facilitate the transit on the St. Lawrence, with the well-founded and reasonable expectation of conveying (en route) to the market of the United Kingdom, a large amount of the surplus of this province, and a much larger amount of the productions of the north-western states of America, in consequence of the inducement afforded, by the exemption of the payment of the foreign duty on the latter production, so imported into Britain.

Resolved, As the opinion of this house, that this well-grounded and reasonable expectation can no longer be entertained, if the discriminating duties on foreign and colonial productions entering the United Kingdom, are approximated as the measure contemplates; and an apprehension is thereby created, that the colonial agriculturist will be deprived of a fair remunerative price for his surplus produce, leaving him little inducement for exertion; and that the channel of the St. Lawrence will no longer transmit any large amount of the agricultural productions of the rich prairies of the west.

Resolved, That this house freely admits the principle, that as colonists, we may, in times of great pressing emergency or state exigency, be called on to make great sacrifices for the peace and prosperity of the kingdom, whenever the general interests of the empire demand it; nevertheless, our ready acquiescence, in thus yielding to

imperial policy, must only be taken as an additional proof of our dutiful devotion to the British crown, and attachment to that great empire of which it is our pride and glory to boast; and entitles us and our respectful representations to the most favourable consideration of her Majesty's government.

Resolved, That this house deem it to be a matter of primary and paramount importance, to the interests of the people of this province, and to the peace and prosperity of the same, that whenever the time arrives that protective duties be no longer continued, that, as an act of Justice, they have secured to them, in any commercial treaty to be made or concluded between the imperial government and the government of the United States, a perfect reciprocity or interchange of commodities between the colony and the neighbouring republic.⁹⁴

FOOTNOTES - 7 MAY 1846.

1. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 12 May 1846; and MONTREAL GAZETTE, 9 May 1846, and BRITISH COLONIST, 19 May 1846, in identical accounts.
2. MONTREAL GAZETTE, 9 May 1846.
3. MONTREAL TRANSCRIPT, 12 May 1846.
4. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 12 May 1846; and MIRROR, 7 May 1846, and PILOT, 12 May 1846, in identical accounts.
5. MIRROR, 7 May 1846.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. MONTREAL TRANSCRIPT, 12 May 1846.
17. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 12 May 1846; and MIRROR, 7 May 1846, and PILOT, 12 May 1846, in identical accounts.
18. MONTREAL TRANSCRIPT, 12 May 1846. MIRROR, 1 May 1846, referred to the 25th clause.
19. MONTREAL TRANSCRIPT, 12 May 1846.
20. MIRROR, 7 May 1846.
21. MONTREAL TRANSCRIPT, 12 May 1846.
22. MIRROR, 7 May 1846.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. The following was reported by: MIRROR, 7 May 1846, and PILOT, 12 May 1846, in identical accounts.
33. MIRROR, 7 May 1846.
34. This motion was reported by MONTREAL GAZETTE, 9 May 1846. There is a commentary in LE JOURNAL DE QUEBEC, 9 May 1846.
35. MONTREAL GAZETTE, 9 May 1846.
36. IBID.
37. The debate on this motion was reported by: MIRROR, 7 May 1846, and PILOT, 12 May 1846, in identical accounts; LA MINERVE, 11

May 1846, and MONTREAL TRANSCRIPT, 12 May 1846, in identical accounts; and LE JOURNAL DE QUEBEC, 9, 16, 19 May 1846, acknowledging its source for the 19th as LA REVUE CANADIENNE. The MONTREAL GAZETTE, 9 May 1846, noted the motion, and observed: "The House was engaged for a long time in discussing the Lower Canada School Bill."

38. LA MINERVE, 11 May 1846.
39. LE JOURNAL DE QUEBEC, 16 May 1846.
40. LA MINERVE, 11 May 1846.
41. LE JOURNAL DE QUEBEC, 16 May 1846.
42. IBID.
43. LA MINERVE, 11 May 1846.
44. LE JOURNAL DE QUEBEC, 16 May 1846.
45. LA MINERVE, 11 May 1846.
46. LE JOURNAL DE QUEBEC, 16 May 1846.
47. LA MINERVE, 11 May 1846.
48. LE JOURNAL DE QUEBEC, 16 May 1846.
49. IBID.
50. IBID.
51. IBID.
52. LA MINERVE, 11 May 1846.
53. LE JOURNAL DE QUEBEC, 16 May 1846.
54. LA MINERVE, 11 May 1846.
55. LE JOURNAL DE QUEBEC, 16 May 1846.
56. LA MINERVE, 11 May 1846.
57. LE JOURNAL DE QUEBEC, 16 May 1846.
58. IBID.
59. LA MINERVE, 11 May 1846.
60. LE JOURNAL DE QUEBEC, 16 May 1846.
61. LA MINERVE, 11 May 1846.
62. LE JOURNAL DE QUEBEC, 16 May 1846.
63. MIRROR, 7 May 1846.
64. LE JOURNAL DE QUEBEC, 19 May 1846.
65. MIRROR, 7 May 1846.
66. LE JOURNAL DE QUEBEC, 19 May 1846.
67. LA MINERVE, 11 May 1846.
68. LE JOURNAL DE QUEBEC, 19 May 1846.
69. LA MINERVE, 11 May 1846.
70. LE JOURNAL DE QUEBEC, 19 May 1846.
71. IBID.
72. IBID.
73. MIRROR, 7 May 1846.
74. LA MINERVE, 11 May 1846.
75. MIRROR, 7 May 1846.
76. LA MINERVE, 11 May 1846.
77. MIRROR, 7 May 1846.
78. LA MINERVE, 11 May 1846.
79. MIRROR, 7 May 1846.
80. IBID.
81. LA MINERVE, 11 May 1846.

82. LE JOURNAL DE QUEBEC, 19 May 1846.
83. IBID.
84. IBID.
85. IBID.
86. IBID.
87. IBID.
88. IBID. LE JOURNAL DE QUEBEC commented: "Le Dr. Taché dans une allocution énergique fait l'éloge de l'éducation avec cette éloquence qu'on lui connaît."
89. MIRROR, 7 May 1846.
90. LE JOURNAL DE QUEBEC, 19 May 1846.
91. The notice was reported by: MONTREAL GAZETTE, 9 May 1846; and BRITISH COLONIST, 15 May 1846.
92. BRITISH COLONIST, 15 May 1846.
93. MONTREAL GAZETTE, 9 May 1846.
94. BRITISH COLONIST, 15 May 1846.

FRIDAY, 8 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought up and laid on the table.

By Mr. Taché,--The Petition of Jean Langevin, of the City of Montreal, Esquire.

By Mr. Méthot,--The Petition of F. B. Blanchard, Esquire, and others, of the County of Drummond.

By Mr. Chalmers,--The Petition of the President and Board of Police of the Town of Hamilton.

By Mr. Johnston,--The Petition of James Johnston, Esquire, and others, of the District of Dalhousie.

Huntingdon
Plank Road
Bill.

An Engrossed Bill to incorporate "the Huntingdon Plank Road Company" was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Colville do carry the said Bill to the Legislative Council, and desire their concurrence.

Quebec Incor-
poration
Ordinances
Amendment
Bill.

An Engrossed Bill further to amend the Ordinances incorporating the City of Quebec, and for other purposes, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chauveau do carry the said Bill to the Legislative Council, and desire their concurrence.

Ferries Bill,
(U. C.)

An Engrossed Bill to explain and amend a certain Act therein mentioned, and to make further provision concerning Ferries in Upper Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cummings do carry the said Bill to the Legislative Council, and desire their concurrence.

Agricultural
Societies Bill,
(L. C.)

An Engrossed Bill to allow the formation of more than one Agricultural Society in a County in Lower Canada, and for the relief of the Society of the County of Montreal, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Scott do carry the said Bill to the Legislative Council, and desire their concurrence.

Peterboro
Railroad Bill.

An Engrossed Bill to incorporate "the Peterborough and Port Hope Railway Company," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hall do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Peter Church and others, of Brome, in the County of Shefford; praying that the Clergy Reserve Lands may be sold, and their proceeds disposed of as the Legislature may think fit.

Of J. J. Williams and others, of Farnham, in the County of Shefford; praying that all denominations of Christians may have their just share in the management of King's College; and that all grants be withheld from McGill College until it be placed upon the same footing.

Of the Reverend John Bethune and others, the Rector and Church Wardens of Christ's Church, in the City of Montreal; praying that a clause may be inserted in all Bills granting Railway privileges, to prevent travelling or transport of goods on Sundays.

Of William Hillis and others, of the District of London; praying for the removal of the person now filling the offices of Judge of the District Court, of the Division Courts, and Chairman of the Quarter Sessions of the said District.

Of the Council of the Quebec Board of Trade; praying that the 44th clause of the Bill relating to the Montreal Trinity House, which imposes a duty on Rafts of Lumber, may be expunged from the said Bill.

Of the Reverend Thomas Destroismaisons, and others, of St. Germain and Ste. Luce de Rimouski; praying that the prayer of the Petition to erect the Counties of Rimouski and Kamouraska into an Inferior District, having for its principal place, Rivière du Loup, be not granted.

Of E. Desbarats, Esquire, and others, Trustees of the Quebec Turnpike Roads, praying to be authorized to borrow the sum of £12,000 on the same conditions as hitherto, for the improvement of the said Roads.

Of William Morris, Esquire, and others, Members of the United Church of England and Ireland, in the Diocese of Quebec; praying that measures may be adopted for vesting in the Church Society of the Diocese of Quebec for the benefit of the said Church, such a portion of the Clergy Reserve Lands as shall correspond with their share of the income arising from the same.

Of Joseph Hamel, Esquire, and others, of the City of Quebec; praying that a Loan at three per cent. interest, be granted them, to enable them to rebuild their property destroyed by the late fires.

Petition of
Rev. T. Des-
troismaisons,
et al, referred.

Ordered, That the Petition of the Reverend Thomas Destroismaisons and others, of St. Germain and Ste. Luce de Rimouski, be referred to the Select Committee to which was referred the Petition of J. B. A. Chamberland, Esquire,

and others, of the County of Rimouski.

Oxford
Election.

Mr. Chauveau, Chairman of the Select Committee, appointed to try the merits of the Petition of the Honourable Francis Hincks of the City of Montreal,

complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, reported to the House the following Resolution.

Resolved, That the Chairman do move the House to grant leave to this Committee to adjourn, until Monday the Eighteenth instant, at half past Eight o'clock, A.M., in consequence of the absence of Mr. Sherwood of Brockville, a member of the Committee.

On motion of Mr. Chauveau, seconded by the Honourable Mr. Baldwin,

Ordered, That said Committee have leave to adjourn, until Monday the Eighteenth instant, at half past Eight o'clock, A.M.

Cobourg
Incorpor-
ation Bill.

Mr. Meyers, from the Select Committee to which was referred the Bill to alter and amend the Act of Incorporation of the Town of Cobourg, reported that the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, on Monday next.

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On motion of the Honourable Mr. LaFontaine, seconded by Mr. Leslie,

Address, Mont-
real New
Court House.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency may be pleased to cause to be laid before this House, all Plans, Estimates, Reports and Tenders, (Propositions), either from the Board of Works or any other party, which may have been made, by order of the Government of this Province, or otherwise, and submitted to the said Government, relative to the construction of a new Court House in the City of Montreal, for the District of Montreal, at the place or places where such Court is to be erected, and to the probable cost of such building, according to the said Plans, Estimates, Reports, and Tenders, (Propositions); and also to cause to be laid before this House, copies of all Orders and Instructions which may have been given on the part of the said Government to the said Board of Works, or any other party, requiring them to make such Plans, Estimates, and Reports, and to make and receive such Tenders.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Sellers by
Tirage au Sort
Bill, (L. C.)

Ordered, That Mr. Drummond have leave to bring in a Bill to fix the Rights of certain Buyers and Sellers by Tirage au sort in Lower Canada, and to quiet the Titles of such Buyers and Sellers.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Tuesday next.

Leave of

Ordered, That Mr. Macdonell of Stormont, have leave

Absence.

to absent himself from this House, until Friday next.

Summoning of
Jurors Bill,
(L. C.)

Ordered, That the Honourable Mr. Viger, have leave to bring in a Bill to facilitate and regulate the summoning of Jurors in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Tuesday next.

West Halton
Election.

The Honourable Mr. Baldwin moved, seconded by Mr. Price, that the Clerk of the House be directed to tax the costs of James Durand, Esquire, the Petitioner, in the Controverted Election for the West Riding of the County of Halton, occasioned by the proceedings of the Commissioners for the examination of witnesses, ordered by this House in that case, and which by the decision of the Committee appointed to try the merits of that election, have proved nugatory, in consequence of the misconduct of the Commissioners appointed to take such evidence, and to pay the amount thereof among the other Contingencies of the House.¹

The hon. gentleman, MR. BALDWIN, explained that the cause of the petitioned (sic) having relinquished the prosecution of his petition was the misconduct of the Commissioners appointed by the House, and, therefore, the officers of the House, to take evidence in the premises.² ((He)) said that the application had all the strength of the case of the Middlesex election, and was free from the objections that had been successfully urged against that case. The chief objection on the Middlesex case was that the contest had not terminated, and that it was possible that after the House had voted money to one or both of the parties, it might be decided that the contest was frivolous and vexatious. In the present instance the affair was at an end, and the committee had decided that neither party had acted frivolously, &c. With that decision before them, and also the fact that the loss complained of was occasioned by the misconduct of the commissioners, he thought it would be only justice³ that the House ought to save the petitioner from the expense incurred from an irregularity over which he had no control⁴ ((and)) to defray his losses.⁵

MR. WILLIAMS understood that the petitioner had abandoned the contest, not from any doubt as to the strength of his case, but because he had been deprived of the necessary means to prosecute it; and how was he thus deprived of means? By the informal conduct of persons appointed by that House. He (Mr. Williams) therefore thought it was their duty to protect the petitioner against such loss, occasioned as it was by the conduct of parties who were literally the servants of the House, and over whom he (the petitioner) had no controul. He (Mr. W.) would vote for the motion.⁶

MR. GOWAN could not see why the House should be told that it was they who inflicted the loss complained of by the petitioner; he thought there were no grounds for saying that the contest had been abandoned solely because of the want of means; he (Mr. G) had the same right to

presume that the reason was the absence of all hope of success. A Committee had declared that the sitting member could not be deprived of his seat, and he saw no reason for presuming to the contrary; he would vote against the motion.⁷

MR. CHRISTIE said, the case then before the House was different from that of the Middlesex Election, inasmuch as it had quite terminated, and had been declared not frivolous and vexatious (sic), and moreover the House had censured the commissioners whose misconduct had occasioned the loss for which indemnity was sought. He (Mr. Christie) thought it was an extremely hard case, and would vote in favour of the motion.⁸

MR. HALL would support the motion; he thought the petitioner gave up the contest because he was tired of the farce; it was no reason that because the officers of that House had done wrong, and they had not chosen to punish them, that therefore the petitioner should be punished. He (Mr. H) conceived there was great difference between that case and the one relating to the Middlesex election; in the latter no decision had been come to, and if money were voted, it might be applied to the carrying on of a contest, which might in the end be declared frivolous and vexatious.⁹

MR. ERMATINGER - said that when the question arising out of the contest for the place which he fills was before the House he thought it would not become him to speak, but in the present instance he felt no diffidence in saying that the case of the petitioner was an extremely hard one. (Hear, hear.) In his (Mr. Ermatinger's) opinion there (sic) was no analogy to that of the Middlesex election; in the latter case the contest had not gone to one-fifth, he might perhaps say to one-tenth the extent that it would have reached, and another circumstance was that the petitioner had for some time proceeded alone and in the face of a protest, but in the present instance the parties had been dragged through a long and tedious enquiry. (Hear, hear.) His (Mr. Ermatinger's) political principles were long defined, he was well known to be a party man, yet, he sympathised deeply with the petitioner for the hardships he had undergone, (cheers) and if it were the last vote he had to give he would cheerfully record it in favor of the motion - (loud cheers.)¹⁰

MR. COLVILLE - did not see why his constituents should be called upon to pay for the misconduct of the Commissioners referred to; they (the Commissioners) ought to be compelled to pay it themselves; he would vote against the motion.¹¹

MR. BERTHELOT - spoke in favor of the motion and contended that in point of justice it would be monstrous to compel the petitioner to suffer for the misconduct of Commissioners who were beyond his control, and viewing the question in a party light it was not to be supposed that because one party had a majority they were to trample upon the other.¹²

MR. ROBINSON spoke against the motion on the ground that such expenses could not be considered as of the contingencies of the House and that after the committee had reported upon an election contest there was legally an end to it. He also thought that when it was agreed that a party should contest the seat of an hon. member of that House his friends should make up their minds to bear him harmless. He would vote against

the motion if it were in favour of his nearest friend in the world.¹³

MR. J. S. MACDONALD of Glengarry had considered the question for 2 or 3 days and at length¹⁴ ((decided)) to vote on this occasion against his party, he agreed in the truth of the arguments which had been used against the motion. If he could bring himself to believe that the country had really suffered any great loss through the Petitioner not having obtained a seat in that House, he might alter his opinion.¹⁵ He thought it would be a bad principle to establish that because a man failed in an election contest his expenses should be paid.¹⁶

MR. MEYERS. - There are some of the members disposed to be generous, and in their generosity they feel as if they could pay the costs incurred by the petitioner in the case of the West Halton Election; he would like to put it to them, how will the country look upon this act, he did not believe that they would justify it, at least he was sure his county would not. Some of the members are determined to prejudge the case, and say that if Mr. Durand had continued the contest he would in all likelihood have succeeded, perhaps he might; but all he knew was that a member took his seat, as to whether he was entitled to it or not he never asked himself the question. The Commissioners he said, were chosen by the petitioner jointly with the sitting member, and he conceived that the petitioner could not in justice claim any compensation for the misconduct. He could see no reason to throw away the public money in this way, it was creating a precedent which would in all probability ere long be greatly abused. He felt sure that in the place of three contested seats we would at the next election have six if the House held out this inducement.¹⁷

MR. SCOTT. - Some appear to view this as a party question, he however could not and would not. The Commissioners appointed by this House have not performed their duty, this House has decided that the Commissioners have been guilty of misconduct, but they allowed the Commissioners to depart when they might have compelled them to pay the expenses; to this House then is the only resource, and in his opinion the House ought to pay them and not be guilty of two injustices.¹⁸

MR. GOWAN would say a few words in reference to what had fallen from several of the members who had spoken, and in the first place he would refer to what had fallen from the member for Gaspé, he said that he would vote for the motion, and as one of the reasons for that course he gave this, that the Committee had decided that the petition was not frivolous and vexatious, now he (Mr. G.) would ask him if he could point out an instance in which the petition and the defence of the sitting member was declared not to be frivolous and vexatious when the sitting member was confirmed in his seat and the costs paid, if he could he (Mr. Gowan) would vote for the motion. Now the member for Gaspé has been a Lawyer and a Judge; he would ask him then if he could point out any law by which the Commissioners were bound to pay the costs. The next member he would take up was the member for Durham, he said that the expense incurred ought to be paid on account of the misconduct of our officers; he would put a hypothetical (sic) case to him in a Court of Law, do they pay for the misconduct of their officers; in a suit which has been decided - owing to some errors caused by one of the officers of the Court - contrary to what it ought to have been decided, does the losing party or both parties obtain

their costs from the Court. - Again, the member for Middlesex says that the great difference in the case from the case in which he was interested is, that the commission was completed, to that he (Mr. G.) would answer that that was only a question of a((n)) amount, and lastly the member for Kamouraska, has said that the commissioners had deprived the petitioner of his means; now to him (Mr. G.) this was a novel doctrine, that because the petitioner had plunged himself into useless expense, this House was to reimburse what had been expended by him. He (Mr. G.) felt convinced that the petitioner ought to be thankful that he had retired from the contest, for from what he had heard, there could be but little doubt but that the Committee would have decided against him. The sitting member so confident was he that he was entitled to his seat, was ready and willing to have staked his whole fortune on the decision. If this House decides to pay the expenses, the natural conclusion that will be come to is, that the sitting member is not legally entitled to his seat.¹⁹

MR. CHRISTIE, he would tell the member for Leeds, that he had been neither Judge nor Lawyer for the last twenty years; but that in all his life he never saw a more special pleader a more perfect Attorney than the member for Leeds; not only in this case is he found playing the Attorney but in almost every case that comes before the House.²⁰

MR. CHALMERS, after the whirlwind of eloquence from the hon. member for Middlesex and the hon. and learned member for Leeds has come to an end, he had an amendment to propose; he had been a member of the committee and had stood out for the petitioner indeed, he was the only one of the committee that had stood out on the jurat question; although Mr. Durand is a political opponent of mine and although he went through the whole county not making a very good use of my name, yet when he came to my house, no one was more welcome; he would state it distinctly, as the representative for Halton, that Mr. Durand was not fairly (sic) dealt with at the election.

Mr. Chalmers then moved an amendment to the effect that the sitting member should also have his expenses paid, and that the same allowance to each should not exceed £150.²¹

MR. ERMATINGER, this is not a court of law, we are not bound by its rules, but we are here to remedy its defects; precedents had been asked for, he would ask if it were ever known in the House of Commons of the members being paid, he considered it worse for the country to be made ((to)) pay for the speeches of the members.²²

MR. G. MACDONELL of Dundas, hoped that the amendment would be withdrawn, it is nonsense to vote for money before it is asked, perhaps Mr. Webster may throw it back with disdain.²³

MR. CHALMERS, would withdraw it, because from his knowledge of Mr. Webster's sentiments, he would feel degraded by accepting a farthing²⁴ of public money.²⁵ He had merely made the motion to set the question in a proper light.²⁶

MR. HALL, if Mr. Chalmers, withdrew his motion he would move it.²⁷

MR. G. MACDONELL, he was prepared to vote for the main motion, he

conceived that this House was remotely the cause of the expence, and we are bound to pay it.²⁸

MR. HALL, withdrew so much of his motion as related to Mr. Webster, allowing that part limiting the amount, to remain.²⁹

MR. LAFONTAINE then spoke in French.³⁰

MR. R. MACDONALD (Cornwall) would not support the motion, because, among other reasons, that he did not believe that the money would go to the petitioner; he believed that his expenses had been paid already by the Reform association, and he supposed that this money, if granted, would go to replenish the funds of that institution, and perhaps be devoted to another speculation, to aid in contesting the County of Oxford for Mr. Hincks.³¹ ((He)) was surprised that the hon. member for the 4th Riding, who spoke so much of economy, would dip his hands into the public chest for the benefit of one of his friends. He condemned the precedent in Mr. Turcotte's case as a bad one established by the majority of that day, and thought that his hon. and learned friend from Dundas, would do better by following the precedent established by his own friends a few days ago in the case of the Middlesex Election. He (Mr. M'D) feared that the motion would pass, there had been some electioneering about it, the party opposite went as usual well together and had obtained promises from some of the weak brethren on the ministerial side.³²

MR. MURNEY - could not understand what his learned friend meant by the terms "weak brethren:" men who acted according to their judgment and who did not happen to agree with the hon. member, were not to be twitted in that way. He (Mr. Murney) was willing in that instance to be considered one of the weak brethren; he thought the expenses of the petitioner belonged to the contingencies of the House as clearly as did any account contracted by the Serjeant-at-arms in the discharge of his duty.³³

MR. COLVILLE. - The hon. member for Terrebonne made it a crime in him (Mr. C.) that he was born on the other side of the Atlantic. He had stated that he (Mr. C.) was born so near the House of Commons that he seemed to be "a natural born legislator." This was not quite correct, as he was born ten miles from London.³⁴ An appeal had been made to the generosity of the House, but he had learned to be just before he was generous, and he did not think that the House had any right to be generous with other people's money. If honorable gentlemen wanted to be generous,³⁵ he would now give them an opportunity of being generous, not out of the public funds but out of their own³⁶.

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Mr. Colville moved, in amendment, seconded by Mr. Gowan, that all the words after the word "evidence," in the said motion be struck out, and the following inserted, "and that the said amount be deducted from the Sessional allowance to Members."

MR. BOULTON hoped the amendment would not be passed, as it would be as much as an acknowledgment of the principle that this person was entitled to remuneration. He had no objection to contribute £5 or £10 towards the necessities of the petitioner, as an act of charity, in his destitute condition, but he looked upon the main motion as an attempt to

extort money from the House.³⁷

MR. BALDWIN said, the petitioner did not seek charity but justice.³⁸

MR. MOFFATT - hoped that this amendment would be withdrawn as it admitted the principle that the petitioner had a right to be paid. It is said that this principle was admitted last year with respect to returning officers in Lower Canada, who had not been paid previous to the Union, but it must be remembered that the expenses attending elections were always paid out of the public funds in Lower Canada, while the (sic) were paid by local assessment in Upper Canada. He was sorry that the hon. member for the North Riding of York so strongly supported the payment of the petitioners expenses, as he had always looked upon him (Mr. Baldwin) as a great authority in constitutional matters; but he was afraid, it might be affirmed of him, what Jack Downing had said of General Jackson, "that he could only see through the spectacles of his party." He (Mr. M.) entirely differed from (sic) him on (sic) this question and was afraid that it would open the door to a dangerous practice.³⁹

MR. AT. GEN. DRAPER understood the hon. member for Terrebonne to say that party spirit had existed to a great extent in election contests in England, and the same spirit existed here, so that this House, or anybody appointed by this House, were an unfit tribunal to try election contests, and therefore these expenses ought to be paid. The hon. member for the North Riding had urged as reasons for paying these expenses the justice of the claim, the commissioners being officers of this House, and because there was no other way of paying these expenses than out of the contingencies. The statute points out the course the commissioners ought to have pursued, and it is not right if they have erred to make us pay the expenses. He contended that they were not officers of this House, but merely appointed by the House at the nomination of the petitioner and sitting member. He considered that even if they were officers of the House, these expenses ought not to be paid, because the commission was not forced upon the parties; they were litigating a question before this House, and to lessen the expenses they chose to sue (sic) out a commission. The consequences of that act ought to fall upon themselves. The payment of the expenses seems to be confined to the party who has lost; the retention of the seat, it is supposed, is a sufficient remuneration to the sitting member.⁴⁰ ((But)) if the one party was entitled to remuneration, as a matter of principle so was the other, although he would not vote for such a motion.⁴¹ If the original motion is carried,⁴² it would establish a precedent that the House was bound to pay the expenses in all cases, from informality, decisions were not given in contested elections. He desired that the resolution would be made more formal and specific, that, if it should pass,⁴³ as the hon. member for Cornwall says it will, it should be taken to mean no more than what the hon. mover has stated that he intends by it; as it now reads, it might be interpreted to give the petitioner all the money which he had disbursed in this contest.⁴⁴

MR. BALDWIN said he generally listened with pleasure, and sometimes with instruction to the hon. Attorney General West, and whenever he (Mr. B) differed with that learned gentleman, which was rather often, he was glad to hear him refining, for it shewed at once his inability to grapple

with the broad principle of the question. In the present instance he had been refining to a great extent, & with no common ingenuity, yet he had failed to accomplish his purpose, he laboured to make the resolution read, so that it would include costs that had been incurred before the contest, but it required even more than the hon. member's ingenuity to prove that; indeed he (Mr. B.) could not see how the hon. member could prove, unless he had some Irish blood in his veins, - (loud laughter) - a thing which followed an occurrence could be that which preceded it - (laughter) - it was true that the learned member had advantages over him (Mr. Baldwin;) he had the benefit of instruction in those great institutions where the Mathematics were so ably taught, and where false positions and double false positions were so profoundly understood (laughter.) He had no doubt that any member of that House would see that it was not to the general expenses of the election that the motion referred; the argument to the contrary was merely to throw dust in the eyes of hon. members. Another fallacy was that because the House left the nomination of the commissioners to the parties contesting they were, therefore, not the officers of the House, although they had received its commission. It might as well be said that because a Court did not itself select a man to act as Sheriff, but appointed one who had been recommended, that therefore such Sheriff was not accountable for neglect of duty.⁴⁵

MR. MONRO would vote for the original motion conditionally, that is, if the amount to be paid the petitioner did not exceed £150.⁴⁶

MR. BOULTON said, that if a farthing were voted it would be an acknowledgment of the principle; he did not understand extending justice to the amount of £150. Let not hon. members be deceived, - if this motion were carried it would be found to involve an expense of nearly £1000. Not only the expenses of the commission would have to be paid, but the expense of witnesses, and the personal expenditure of the petitioner.⁴⁷

MR. BALDWIN, certainly!⁴⁸

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The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Colville, Foster, Gowan, Hale, Petrie, and Solicitor General Taschereau.
--(6.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Boulton, Bouthillier, Brooks, Cauchon, Cayley, Chabot, Christie, Desaulniers, DeWitt, Attorney General Draper, Drummond, Ermatinger, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Méthot, Moffatt, Monro, Murney, Nelson, Powell, Price, Robinson, Roblin, Rousseau, Scott, Seymour, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Taché, Viger, and Williams.--(46.)

So it passed in the negative.

Mr. Monro moved, in amendment to the main motion, seconded by Mr.

Williams, that the following words be added thereto, "provided the amount do not exceed one hundred and fifty pounds, and that the Commissioners be allowed no part of the amount."

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Cayley, Colville, Attorney General Draper, Ermatinger, Foster, Hale, Macdonald of CORNWALL, Macdonell of DUNDAS, M'Connell, Moffatt, Monro, Murney, Petrie, Robinson, Scott, Seymour, Smith of FRONTENAC, Attorney General Smith, Solicitor General Taschereau, and Williams.--(21.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Bouthillier, Brooks, Cauchon, Chabot, Christie, Desaulniers, DeWitt, Drummond, Gowan, Guillet, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Nelson, Powell, Price, Roblin, Rousseau, Smith of WENTWORTH, Taché, and Viger.--(32.)

So it passed in the negative.

Mr. Macdonald of Cornwall, moved in amendment to the main motion, seconded by Mr. Boulton, that all the words after "that," in the said motion be struck out, and the following substituted: "the Petitioner do give in to the Clerk of this House a detailed statement of the expenses incurred, and claimed by him, to be paid by this House."

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Cayley, Colville, DeBleury, Attorney General Draper, Foster, Gowan, Hale, Johnston, Macdonald of CORNWALL, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Monro, Murney, Petrie, Robinson, Scott, Seymour, Smith of FRONTENAC, Attorney General Smith, Solicitor General Taschereau, and Viger.--(24.)

NAYS.

Armstrong, Baldwin, Berthelot, Bertrand, Bouthillier, Brooks, Cauchon, Chabot, Chalmers, Christie, Desaulniers, DeWitt, Drummond, Ermatinger, Guillet, Hall, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Nelson, Powell, Price, Roblin, Rousseau, Smith of WENTWORTH, Taché, and Williams.--(35.)

So it passed in the negative.

MR. HALL considered that the petitioner had a good right of action against the commissioners for the amount that he had paid them, and as his whole expenses were stated to be not more than £250⁴⁹.

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Mr. Hall moved, in amendment to the main motion, seconded by Mr. Meyers, that the words "not exceeding two hundred pounds," be inserted after the word "thereof," in the said motion.

MR. CHALMERS, no individual in this House understood the circumstances of this case better than himself; and he must say, that he considered that the petitioner had not been fairly treated.⁵⁰

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The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Bouthillier, Brooks, Cauchon, Cayley, Chabot, Chalmers, Christie, DeBleury, Desaulniers, DeWitt, Attorney

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General Draper, Drummond, Ermatinger, Foster, Guillet, Hale, Hall, Jobin, Johnston, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Meyers, Moffatt, Monro, Murney, Nelson, Powell, Petrie, Price, Roblin, Rousseau, Scott, Seymour, Smith of FRONTENAC, Attorney General Smith, Smith, of WENTWORTH, Taché, and Williams.--(50.)

NAYS.

Boulton, Colville, Gowan, Macdonald of CORNWALL, Macdonald of GLENGARRY, M'Connell, Robinson, and Viger.--(8.)

So it was carried in the affirmative.

The question being then put on the main motion, as amended, the House divided thereon, and the names being called for they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Bouthillier, Brooks, Cauchon, Chabot, Chalmers, Christie, DeBleury, Desaulniers, DeWitt, Drummond, Ermatinger, Guillet, Hall, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Monro, Murney, Nelson, Powell, Price, Roblin, Rousseau, Scott, Smith of WENTWORTH, Taché, and Williams.--(38.)

NAYS.

Boulton, Cayley, Colville, Attorney General Draper, Foster, Hale, Johnston, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, M'Connell, Meyers, Moffatt, Petrie, Robinson, Seymour, Smith of FRONTENAC, Attorney General Smith, Solicitor General Taschereau, and Viger.--(20.)

So it was carried in the affirmative, and

Ordered, That the Clerk of the House be directed to tax the Costs of James Durand, Esquire, the Petitioner in the Controverted Election for the West Riding of the County of Halton, occasioned by the proceedings of the Commissioners for the examination of Witnesses, ord-

ered by this House in that case, and which, by the decision of the Committee appointed to try the merits of that Election, have proved nugatory, in consequence of the misconduct of the Commissioners appointed to take such evidence, and to pay the amount thereof, not exceeding two hundred pounds, among the other Contingencies of the House.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery,

MR. SPEAKER,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly.

Magdalen
Islands Bill.

"An Act relating to the Magdalen Islands, in the Gulf St. Lawrence, and to enable the inhabitants, householders therein, to establish a Municipal Council in the said Islands; and to extend the like advantages to certain localities in the County of Saguenay, and to those parts of the Counties of Rimouski and Kamouraska, known as the Madawaska Territory."

Albion Road
Company Bill.

"An Act to incorporate certain persons under the name of the Albion Road Company."

And also,

School Sites
Bill, (U. C.)

The Legislative Council have agreed to the amendment made by the Legislative Assembly to the Bill, intituled, "An Act to provide for vesting in Trustees, the Sites of Schools, in that part of this Province called Upper Canada," without any amendment.

And then he withdrew.

King's Col-
lege Bill.

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to repeal a certain Act therein mentioned, and to alter and amend the Charter of the University of King's College.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

University
Endowment
Bill, (U.C.)

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to vest the Endowment granted by the Crown, for University Education in Upper Canada, in the University of Upper Canada, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Attorneys
Certificates
Bill, (U. C.)

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to amend the Laws now in force, regulating the taking out of Certificates by Attorneys and Solicitors in

Upper Canada.

He accordingly presented the said Bill to the House, and the same was

received and read for the first time, and ordered to be read a second time on Tuesday next.

Message from
Governor
General.

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

CATHCART.

Superior Courts
Accommodation,
(U. C.)

The Governor General transmits for the information of the Legislative Assembly copies of correspondence relating to the accommodation prepared for the Superior Courts of Upper Canada in Osgoode Hall, and recommends that the Legislature do, in consideration of the Law Society entering into a valid covenant for all time to come, to provide sufficient accommodation for such Courts, authorize the issue of Debentures on the security of the Province, in favour of the said Society, to an amount not to exceed £6,000.

The Governor General also recommends that authority be given to impose a Tax on certain proceedings in Law and equity, to meet the interest, and to sell for money a portion not exceeding one third of the block of land in Toronto, (on which the buildings wherein these Courts have been hitherto held,) stand to be applied in part discharge of the said Debentures.

GOVERNMENT HOUSE,

8th May, 1846.

(Copy.)

TORONTO, Jany. 27, 1846.

SIR,

In company with my brother Judges I have inspected the accommodation provided by the Law Society in their new building for the Court of Queen's Bench, and for the Practice Court and Offices connected with it; and we cordially unite in declaring that the Court Room of the Queen's Bench, the Practice Court, and the apartments assigned to the Judges, are in all respects most convenient and satisfactory. They are indeed not merely ade-

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quate in themselves, and well arranged, both as regards the public convenience and the personal comfort of those whose duties are to be discharged in them, but they have been designed and finished on a scale becomingly liberal, though not extravagant.

The Judges feel sincere gratification in remarking that by the exertions of the Law Society, the Superior Courts of Justice in Upper Canada are at length accommodated in a manner worthy of the Country, and they have only to repeat a hope which they have already expressed in a communication to the Government, that such public arrangements may be made as will allow the Judges to feel that these increased advantages which they will enjoy, both personally and as composing the Court, are permanently assured, and have not been procured by sacrifices which may prove in any degree burthensome to the Law Society.

With regard to the rooms set apart for the Office of the Clerk of the

Crown and Pleas, to which the attention of the Judges was especially called, by the gentlemen who were so kind as to attend with them on the part of the Society, they appear to be sufficient in point of space, and as good as the Law Society are at present able to provide, making such allowance as it is necessary to make for other arrangements. The Vaults for Records and Papers seem to be ample and safe, though we doubt whether underground Vaults will be found sufficiently dry. The experiment however could be made.

The Judges are glad to find that the Society has been able to provide Mr. Small with a convenient rood on the ground floor--as it would have been impossible for him during his present indisposition, to have made use of an apartment in the higher story in which his Clerks will be placed. This separation however of the principal Officer from the subordinate Clerks, which unfortunately seem to be unavoidable, may occasion a good deal of inconvenience; and though we do not see that any better arrangement could be made, as the East Wing is required for the purposes of the Law Society, yet we trust the time is not distant when the erection of a plain and cheap range of apartments running back from the new building, will enable the Law Society to provide for the accommodation of the Office of the Clerk of the Crown and Pleas, and for the safe keeping of the Records and Papers, in a connected suite of fire proof rooms above the ground.

I have, &c.

(Signed,) J. B. ROBINSON, C. J.

The Hon. R. S. JAMESON,
Treasurer of the Law Society.

(Copy.)

TORONTO, 30th January, 1846.

SIR,

I have the honor to state for the information of the Building Committee of the Law Society, of which you are a Member, that having long watched with great interest the liberal exertions made by the Society for the accommodation of the Courts of Law and Equity, and their respective Officers, I have taken the earliest opportunity after their completion, of leaving the inconvenient rooms temporarily appropriated to the Court of Chancery in the East Wing of the former Parliament Buildings, and commenced the first Equity Sittings of the year in the new Court.

I now beg to assure the Building Committee, through you, that both myself and the profession generally feel highly satisfied with the accommodations thus afforded to the public service. In point both of elegance and convenience they are all that can be desired.

I have, &c.

(Signed,) R. S. JAMESON,
Vice Chancellor.

CLARKE GAMBLE, Esquire,
Chairman Building Committee,
&c. &c. &c.

(Copy.)

TORONTO, 6th February, 1846.

SIR,

As Chairman of the Building Committee superintending the improvements at Osgoode Hall, with a view to the removal thither of the Supreme Court of Canada West, and their officers,

of Canada West, and their officers,

I have been instructed by the Law Society to enclose you the accompanying correspondence, and to state for the information of the Executive Government, that the Society is now prepared to enter into a perpetual covenant with Her Majesty, to find the necessary accommodation for the Courts and their Officers from this time forth.

With reference to the consideration to be received therefore,--the Society having in view the communication of the Bench to the Government upon a former occasion, upon the inexpediency of the Courts becoming the tenants of any individual or corporation, would accept a proportion of the present outlay in lieu of an annual rental.

The total expenditure upon Osgoode Hall, in consequence of the present arrangement, will fall very little short of ten thousand pounds; and in mentioning the sum of six thousand pounds, as the consideration of the agreement between the Government and the Society, I feel that I am placing the remuneration at a very low rate. It must be borne in mind that the whole of the west wing, together with a portion of the centre building, comprising in all twenty apartments, many of them necessarily very spacious, is entirely occupied by the Courts and their Officers, and should it happen that the vaults under ground are not found to answer for the keeping of the records--another fire-proof building must be added for that purpose.

In setting aside rooms for the Crown Office, the arrangement was first made for the Department, irrespective of Mr. Small; and the Judges of the Court of Queen's Bench, being satisfied therewith; the Society, in consideration of that gentleman's infirmity, appropriated a room on the ground floor for his especial use, of the same size, and in the same situation as the Judges Chambers. This room forms part of the suite of rooms originally with the assent of the Judge and Vice-Chancellor assigned to the Court of Chancery; and when another apartment is required for any additional Clerk in the Registrar, or Master in Chancery's Office, which he has intimated will soon be the case--further accommodation must be provided for him in the Centre Building. This, together with the slight inconvenience (mentioned by the Chief Justice) consequent on the separation of Mr. Small's from his subordinate Clerks, arises from his state of health, and not from the fault of the Society, or the want of proper arrangement in the Building.

On behalf of the Society, I now tender to the Executive Government the Building and apartments approved of by the Judge and Vice-Chancellor for the use of the Courts and their Officers, as before mentioned, and pray that the necessary steps may be forthwith taken to complete the arrangement on the part of the Government.

I have, &c.
(Signed)

C. GAMBLE.

The Honourable D. DALY,
Secretary, &c.

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(Copy,)

SECRETARY'S OFFICE,
Montreal, 5th March, 1846.

SIR,

I have the honour, by command of the Administrator of the Government, to acquaint you, that His Excellency, in Council, has had under consideration your letter of the 6th ult., on the subject of the accommodation prepared in Osgoode Hall, by the Law Society, for the Superior Law Courts of Upper Canada.

His Excellency concurs with the Chief Justice and his brethren, in desiring that the Courts should be permanently assured in the accommodation thus provided, and is therefore favourable to entering into an arrangement of the character suggested by you on behalf of the Society.

In order to effect this, His Excellency is advised that the necessary funds should be provided for by a duty on certain Law proceedings, and that either an application should be made to the Legislature to sanction the advance of the necessary sum, to be repaid by a Tax on Law proceedings in these Courts, or that such a Tax be imposed, the net proceeds of the Tax should be half yearly paid to the Treasurer of the Law Society, until the whole amount of £6,000 and interest from the date of agreement with the Society is paid.

Before bringing either of these proposals before the Legislature, His Excellency has directed me to inquire whether the Law Society would not be disposed to accept half-yearly payments, in the manner last suggested, which His Excellency is of opinion, would be a better way of disposing of the question, than to ask for an advance of £6,000 from the Legislature.

I am therefore to request that you will be pleased to let me hear from you on this subject, at your earliest convenience.

I have &c.,

D. DALY,

CLARKE GAMBLE, Esquire,
Toronto.

TORONTO, CANADA WEST,
12th March, 1846.

SIR,

I have the honour to acknowledge the receipt of your communication of the 5th instant, relative to the arrangement for the liquidation of the sum of six thousand pounds, to be paid by the Government to the Law Society of Upper Canada, for the accommodation prepared in Osgoode Hall, for the Superior Courts in Upper Canada.

I submitted the same, at once, to the consideration of the Committee of Economy, and was in hopes at one time, that we might be enabled to accept the proposal of half-yearly instalments by the issuing of our own Debentures, based on the payments to be made to us by the Government; but upon applying to those to whom the Society is now indebted for the building, we are reluctantly compelled to decline such arrangement. If the Government will issue to the Law Society, Debentures for the sum of six thousand pounds, payable at any periods based upon the tax proposed or otherwise, we shall find no difficulty in negotiating them, but our creditors refuse to take our own Debentures.

As I mentioned in the first communication I had the honor to address to you upon the subject, the improvements at Osgoode Hall have cost nearly ten thousand pounds. The Society borrowed four thousands pounds on mortgage. Our Bankers allowed the Society to overdraw their account

to the amount of three thousand pounds more, during the progress of work, upon the assurance that the amount should be paid immediately after the next Session of Parliament, and the Contractor is entitled to his balance (which, together with the outlay on the site itself will take the whole residue) at the completion of his work next month.

Should Government Debentures be issued to the Society for the amount to be paid, the Bank of Upper Canada undertakes to cash them all, and the Society will be thus enabled to meet its engagements.

I have &c.,
(Signed,)

C. GAMBLE.

The Honble D. DALY,
Secretary.

(Copy.)

Copy of a Report of a Committee of the Honourable the Executive Council, dated May 5th, 1846, approved by his Excellency the Governor General in Council, on the same day:--

On a Letter from Clarke Gamble, Esq., Chairman of the Building Committee, Osgoode Hall, Toronto, relative to an arrangement for the liquidation of the sum of £6,000, to be paid by the Government to the Law Society for the accommodation prepared in Osgoode Hall, for the Superior Courts in Upper Canada.

The Committee recommend, that a Message be sent by your Excellency to the Legislature, with the Correspondence, &c., respecting the accommodation for the Superior Courts of Upper Canada, in Osgoode Hall, recommending that the Legislature do, in consideration that the Society enter into a valid covenant for all time to come, to provide sufficient accommodations for such Courts, authorize the issue of Debentures on the security of the Province, in favor of the said Society, to an amount not to exceed £6,000; authority to raise a tax on certain proceedings in Law and Equity, to meet the interest; and authority to sell for money a portion not exceeding one third of the block of land in Toronto, on which the Buildings in which these Courts have been hitherto held, stand, to be applied in part discharge of the said Debentures.

Certified,
(Signed,)

E. PARENT.

To the Provincial Secretary.

Printed.

Ordered, That two hundred and fifty copies of the Message of His Excellency the Governor General, relating to King's College, and the Documents accompanying the same, and also of the Memorial of the Professor of Anatomy and Physiology in the University of King's College, and other Documents on the same subject, laid before the House, yesterday, be printed for the use of the Members of this House.

Administration
of Justice,
Montreal.

The Honourable Mr. Attorney General Smith, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General, the following Correspondence on the subject

of the Administration of Justice in the District of Montreal.

(For the said Correspondence, see appendix H.H.H.)

Ordered, That the said Correspondence be referred to the Select Committee appointed to enquire into the state of the Administration of Justice in the District of Montreal, in the Superior Courts thereof, with a view of providing for the more efficient Administration of Justice therein.

Leave of
Absence.

Ordered, That Mr. Riddell have leave to absent himself from this House, during the remainder of the present Session, on urgent business.

Leave of
Absence.

Ordered, That Mr. Webster have leave to absent himself from this House, during the remainder of the present Session, on urgent business.

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Printed.

Ordered, That the Return to an Address of this House to His Excellency the Governor General, on the subject of Collectors of Tolls, and amounts collected on the Welland Canal, laid before the House, yesterday, be printed for the use of the Members of this House.

Petition of
Rev. J. Beth-
une, et al.
referred.

Ordered, That the Petition of the Reverend John Bethune and others, the Rector and Church-wardens of Christ's Church, in the City of Montreal, be referred to the Select Committee on Railroads.

Leave of
Absence.

Ordered, That Mr. Powell have leave to absent himself from this House during the remainder of the Session, on urgent business.

Registry Laws
Bill, (U. C.)

Mr. Taché, from the Committee of the whole House, on the Bill to consolidate and amend the Registry Laws of Upper Canada, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Supply.

The Order of the Day for the House in Committee, to consider of the Supply granted to Her Majesty,

being read;

The House accordingly resolved itself into the said Committee.

Mr. Laurin took the Chair of the Committee,

Some conversation took place between MESSRS. BALDWIN, AT. GEN. DRAPER and LAFONTAINE, relative to the Union Act.⁵¹

MR. BALDWIN ((requested that the Committee rise and obtain)) leave to sit again on Monday.⁵²

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

Administration
of Justice,
(U. C.)

The Order of the Day for the House in Committee, to take into consideration certain proposed Resolutions having for their object the Charging upon the Consolidated Revenue, the Administration of Criminal Justice in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

*Mr. Petrie took the Chair of the Committee,*⁵³

MR. INSP. GEN. CAYLEY moved the resolutions.⁵⁴

MR. LAFONTAINE⁵⁵ addressed the committee in French ... in opposition to the resolutions⁵⁶, his principle argument being that such a course was in contravention of the stipulation of the Union Act.⁵⁷ ((He)) reprobate((d)) the Acts of the Special Council, and ... complain((ed)) of the Union Act, which, he said, had freed Upper Canada from her state of Bankruptcy, by throwing the weight of her liabilities upon the United Province.⁵⁸

During the time that Mr. Lafontaine was addressing the House, MR. AYLWIN⁵⁹ indulged in loud exclamations of hear, hear, and frequent bursts of the most hideous laughter, only interrupting these displays, in order to fix himself in his chair in a convenient position to regard Mr. Viger through his eye-glass - a gesture which he repeated a great number of time((s)) with offensive aggravations.⁶⁰

The whole House appeared to be annoyed by his conduct, and at last the members on the Ministerial side, took up the chorus of cheers, so as to cause frequent interruptions to the discourse of the hon. member for Terrebonne.⁶¹ He ((Mr. Aylwin)) was repeatedly called to order - members on his own side rose and remonstrated with him and MR. LAFONTAINE himself many times begged of him to be quiet; but all to no purpose.⁶²

MR. HALL rose, and said he hoped it would be understood by the hon. member for Terrebonne (sic), that his (Mr. Hall's) side of the House, desired to hear him with the respectful attention he was entitled to expect from the House, but that they could not do so while the disorderly conduct of the hon. member for Quebec was continued.⁶³

MR. LAFONTAINE said he was quite aware that no disrespect was intended.⁶⁴

MR. PRES. EX. COUN. VIGER⁶⁵ spoke in French⁶⁶ ((and)) replied to the hon. member for Terrebonne; he said that he had always protested against the Union Act, even at the time when Mr. Lafontaine was in the Ministry, by whom it was passed.⁶⁷

Here MR. AYLWIN burst into a loud guffaw.⁶⁸

MR. J. S. MACDONALD (Glengarry), and MR. HALL rose and protested against this conduct, on the part of the hon. member for Quebec, and called on the Chairman (Mr. Petrie) to preserve order.⁶⁹

The Chairman, MR. PETRIE,⁷⁰ said the hon. member for Quebec should not

interrupt hon. gentlemen who were addressing the House.⁷¹

MR. PRES. EX. COUN. VIGER continued - Why did not the hon. member for Terrebonne oppose the Union at that time? Why did he not appeal to the Home Government to redress what he now professed to consider as so gross an injustice? He asked what the hon. member did do at that time? No! he did not wish to go over that ground; he desired to appeal to the reason of the House; not to the grovelling passions which some persons seemed so much inclined to indulge in.⁷²

Here there was another interruption from the hon. member for Quebec, MR. AYLWIN.⁷³

MR. PRES. EX. COUN. VIGER continued - While the Union Act was under discussion, he had stated his willingness ... to allow the Administration of Justice to fall, after a time upon the whole Province.⁷⁴ He had always been in favor of this charge being borne by the Public Chest, in the same manner as in Lower Canada.⁷⁵

Here MR. AYLWIN afforded another example of his powers of vociferation.⁷⁶ Mr. Viger ... was repeatedly interrupted by the cries of Mr. Aylwin, who was frequently called to order and remonstrated with by his own friends, but to no purpose.⁷⁷

MR. HALL desired to know if the hon. member for Quebec was prepared, when he rose to speak to submit to the same interruptions, accompanied by the same offensive gesticulations, as those he had offered to the hon. member for Three Rivers. Because he, Mr. Hall gave him fair warning that he would meet with them.⁷⁸

MR. PRES. EX. COUN. VIGER made some few remarks⁷⁹.

MR. LAFONTAINE and others, finding it was useless to reason with ... ((Mr. Aylwin)) and being unable to induce him to leave the house, left it themselves⁸⁰, apparently disgusted with the exhibition.⁸¹

MR. PRES. EX. COUN. VIGER made a few more observations⁸².

MR. DEBLEURY would not enter into the discussion of the question at the present time, but would only answer some of the extraordinary statements made by the member for Terrebonne⁸³, remarks which in my opinion said Mr. DeBleury, that gentleman ought to be the last to address to us Canadians.⁸⁴

MR. AYLWIN ... - "Us Canadians" - that from you!⁸⁵

MR. DEBLEURY called on the Chairman to preserve order.⁸⁶ He was sorry to see a disportion (sic) manifested to introduce on all occasions, matter foreign to the subject in hand, and to take up the time of the House with it. For his life he could not see what the Union of the Provinces and the Special Council had to do with the subject in hand.⁸⁷

MR. AYLWIN, hear, hear.⁸⁸

MR. DEBLEURY ((continued:)) The member for Terrebonne ought to be the last person to refer to the unfortunate troubles of 1837-'38.⁸⁹

MR. AYLWIN, hear, hear, and laughter.⁹⁰

MR. DEBLEURY ((resumed:)) Mr. Chairman, if you do not keep that, that, that, he could not out of respect for the House utter the word that he was going to do, he would himself make him hold his tongue.⁹¹

MR. AYLWIN, hear, hear.⁹²

MR. DEBLEURY ((continued:)) He was astonished, he said, to hear the hon. member for Terrebonne allude to the Special Counsel (sic): he (Mr. DeBleury) like every one of his compatriots had ever regretted the introduction of the Special Council and the events which followed it⁹³. We all took exception to it; we Canadians disliked it.⁹⁴

MR. AYLWIN, laughing, hear, hear, hear.⁹⁵

MR. DEBLEURY ((continued:)) We Canadians - (loud cries of order) - we all regretted it, but he would ask the hon. member for Terrebonne who was the cause of it, who drew it upon us, if it was not you and your followers. (Hear, hear.)⁹⁶ He repeated, that the hon. member for Terrebonne should be the last to speak of those things of which he himself had been one of the causes.⁹⁷

MR. AYLWIN again favoured the House with a specimen of extraordinary cachinnation.⁹⁸

MR. DEBLEURY - Mr. Chairman, if you are absolutely unable to keep the hon. member in order, I will cross the room and make him observe the respect due to a member addressing this House.⁹⁹

MR. AYLWIN - (Clenching his fist and extending his arm over his desk) - Take care! Take care!! Take care!!! (Great excitement.)¹⁰⁰

Several members here rose at once.¹⁰¹

The Chairman, MR. PETRIE, ... desired the hon. member for Quebec not to interrupt gentlemen addressing the House.¹⁰²

MR. DEBLEURY again attempted to proceed.¹⁰³

MR. AYLWIN interrupted him¹⁰⁴.

There were loud cries of order, order.¹⁰⁵

Sir, said ... MR. DEBLEURY, addressing the Chairman, will you keep order, or will you oblige me to cross the House and pull that person's nose.¹⁰⁶

MR. AYLWIN, shaking his fist at the member for Montreal, exclaimed - "Come over here, if you dare, you scoundrel!!"¹⁰⁷

MR. DEBLEURY endeavoured to go over, but he was prevented by two of the members.¹⁰⁸

The whole House was on its legs in a moment. Some cried, "leave the Chair"; some "call the Speaker"; others, "clear the gallery", and several gentlemen went to the gallery to tender their assistance to the ladies, who were, of course, greatly alarmed.¹⁰⁹

MR. HALL ... are we in a Canadian Legislature to be bullied and brow beat by that member opposite.¹¹⁰

MR. AT. GEN. DRAPER then moved that the Chairman do leave the Chair.¹¹¹

The Chair was vacated amidst much confusion.¹¹²

The Speaker, MR. MORIN, took the chair¹¹³.

The Chairman, MR. PETRIE, reported that he had left the chair of the committee in confusion.¹¹⁴

MR. AT. GEN. DRAPER rose and was about to explain¹¹⁵.

MR. ARMSTRONG moved that the galleries should be cleared.¹¹⁶

Cries of "no, no," "order", resounded through the House.¹¹⁷

MR. HALL, "No, no," you are ashamed of your conduct.¹¹⁸

Several other gentlemen stood up and exclaimed, you are ashamed of him! you are ashamed of him!¹¹⁹

The Speaker, MR. MORIN, took the Chair and directed the galleries to be cleared.¹²⁰

This was done amid loud and repeated cries of "Shame!" the speaker vainly attempting to keep order.¹²¹

After the House was closed, MR. AT. GEN. DRAPER rose and expressed his regret that his duty compelled him to bring before the House so unpleasant (sic) a subject as that to which he had to allude: he meant the offensive language used by the hon. member for Quebec. It was now the business of the House to decide upon the course it ought to pursue. The words used were, "come over here you scoundrel."¹²²

MR. LESLIE said, that Mr. DeBleury had previously threatened to pull Mr. Aylwin's nose.¹²³

MR. J. A. MACDONALD (Kingston), remarked that the hon. member for Quebec, in his conduct towards Mr. DeBleury, had only filled up the measure of the offensive course he had pursued the whole evening, to the House in general, and to the hon. President of the Council in particular. Mr. DeBleury, had only protected himself from gross insult; he had not said that he would pull Mr. Aylwin's nose; but, that since he could not walk over and pull that gentleman's nose, he begged the Chairman to preserve order."¹²⁴

MR. HALL thought both hon. members were to blame.¹²⁵

MR. LAFONTAINE imputed the whole affair to the intemperate conduct of the hon. member for Quebec.¹²⁶

MR. DEBLEURY was ready to withdraw any offensive expressions he had employed.¹²⁷

MR. AYLWIN refused to apologise and justified his conduct.¹²⁸

After some remonstrance (sic) however, from MESSRS. DRAPER and DRUMMOND, MR. AYLWIN apologised, went across the House and shook hands with Mr. DeBleury.¹²⁹

MESSRS. AYLWIN & DEBLEURY ... apologized to the house for the language they had made use of and explained that their remarks were entirely in a

Pickwickian sense.¹³⁰

The resolutions relative to the judicature were then put and carried.¹³¹

When the doors were again opened, MR. DEBLEURY was about to continue.¹³²

MR. AYLWIN went over¹³³.

MR. DEBLEURY moved, seconded by MR. AYLWIN, that the committee rise, report progress, and ask leave to sit again.¹³⁴

The motion was put, Yeas, 22; Nays 32.¹³⁵

MR. DEBLEURY continued, he was about answering some of the statements made by the member for Terrebonne, he ought to be the last person to speak of the Special Council. The Special Council was named by the Administration of the day, and why was it needed? Because the constitution had been suspended, and we Lower Canadians did not know our own interests. The member for Quebec terms himself a friend of the Canadians, he would ask him if he was not a member of an association, the professed object of which was the wholesale extermination of the Canadians. (Hear, hear.) The member for Quebec was their greatest enemy; he would, if he could, have brought every one to the scaffold. But it was out of place here to taunt and recal (sic) past grievances. The member for Terrebonne has spoken of the Special Council and the Union, why did he then except (sic) office under that Union, and by so doing affix his seal of affirmation to the act. It was said in this room and oft repeated, that the ministry had no sympathy with us French Canadians, a few days after the celebrated correspondence made its appearance, and we found that there was a great deal of sympathy felt for us. The person who holds the Speaker's chair shews it, it was the greatest proof of sympathy that could be afforded, there was not a voice raised against it. He deprecated the attacks on the Union, it had been affected and we cannot help it now.¹³⁶

MR. AYLWIN said, that the question was one not to be decided on the present occasion. (Hear.) For a more infamous, or more iniquitous one was never placed on the table, and the hon. member for Montreal who makes use of the expression "Us French Canadians" said that he was ready to give this act of spoliation his sanction.¹³⁷

MR. DEBLEURY rose to correct the hon. member. He had not said one word with respect to the bill, he had merely replied to some remarks made by the hon. member for Terrebonne.¹³⁸

MR. AYLWIN continued, the hon. member spoke generally, and he, the so called member for Montreal had ventured to taunt the hon. member for Terrebonne, to taunt the hon. gentleman for taking office.¹³⁹

MR. DEBLEURY here rose to order. The hon. member had spoken of him as the "so called member for Montreal," he could tell that hon. member that in addition to his being called the member for Montreal, he was one of its members.¹⁴⁰

MR. AYLWIN rose to continue¹⁴¹.

Loud cries of "question" from the Ministerial Benches.¹⁴²

MR. AYLWIN: He could assure hon. members that the question should not be put until he had closed his remarks, nor would he allow himself to be interrupted by any thing that might fall from hon. members on the other side. The hon. gentleman who styled himself the member for Montreal, had taunted his hon. friend with taking office under the Union Act, and that by doing so, he had given his consent to that act. Now he would turn to the hon. member for Dorchester, and he would ask what course did he take at that period, the hon. member for Dorchester would understand him perfectly well. When every effort was made to appeal against that most iniquitous act, an act which is now spoken against by the hon. President of the Council, where was the hon. member for Dorchester? He would now turn to another hon. member who plotted and planned, and by whose assistance that measure was carried. It was rather strange that his own colleague should rise and blame his dear act; and he would tell that hon. gentleman that he had a heavy account to settle with the country, and that account he would be one day called on to render. As to the effects of the act of Union the hon. President of the Council had already fully declared them. The hon. mem. for Montreal taunted people with inconsistency, he would ask how is it that he now maintains and defends a man in Her Majesty's, Council whom he called a traitor, whom he was delighted to see in prison, and who perhaps deserved to be imprisoned. He perhaps thought these remarks were listened to with perfect sang froid by the hon. member for Montreal, and as to the hon. President, his heart was as hard as a mill stone (hear,) no impression could be made on him. But as he had said, his hon. friend had been taunted with taking office, and thereby giving his consent to the Union act, now how was it that the hon. member for Montreal would consent to be elected under that act? How was it that the hon. President of the Council was elected, and took office under that act? It was very easy for him to find faults in his hon. friend's conduct, although he could see none in the hon. President. The hon. President who by the way had pocketed his salary for months, being at the same time member for Nowhere. He would advise that hon. member when he employed people to defend him, he ought to find some one of greater ability than the hon. member for Montreal.¹⁴³

"Question, question."¹⁴⁴

MR. AYLWIN ((resumed:)) Yes "question." The position of Lower Canada was in truth most extraordinary and the hon. member for Montreal would have to take his share of the effects of his own work. That hon. member must be well aware that by that act Lower Canada was spoliated in the most infamous manner. The position of Poland was dreadful, but that spoliation of Lower Canada was infinitely worse. (Hear, hear.) Yes, he cried "hear, hear." He would repeat it, and that hon. gentleman had given his consent and his assistance in carrying that act. But he (Mr. A) could well divine some reasons which had induced the Merchants of Lower Canada to support that act. The hon. gentleman opposite as well as several other merchants had debtors in Canada, and by the expenditure of large sums of money in the Upper Province, they would have a chance of being paid, and they were paid. (Cries of hear, question, &c.)¹⁴⁵

MR. CAUCHON moved the adjournment.¹⁴⁶

MR. WILLIAMS was sorry to see that there was a determination on the

part of hon. members on the other side of the House to speak against time and worry the House with motions of adjournment. He would oppose the motion, and hoped hon. gentlemen would do so too and continue in the performance of their duties.¹⁴⁷

The motion was lost.¹⁴⁸

MR. AYLWIN rose to continue amidst constant interruption. The proposition now before the House was of the most iniquitous nature, and although he was not surprised to see it supported by the hon. member for Montreal, and the President of the Council, he was obliged to confess that he was surprised when the latter said that L. C. was bound to contribute out of its resources for this purpose. That did cause him some astonishment, and though the hon. gentleman might say so here because he would not be hooted, he would not dare to say so in some parts of the Province with which he was acquainted, or he would be hooted as he was hooted at Richelieu, and as he was hooted when he offered himself as a Representative for the County of Montreal.¹⁴⁹

Question.¹⁵⁰

MR. AYLWIN ((continued:)) As to the cry of question raised by hon. gentlemen on the other side of the House he did not pay any attention to it, and was resolved to do as he pleased.¹⁵¹

MR. HALL. - No you won't.¹⁵²

MR. AYLWIN. - Yes I will.¹⁵³

MR. HALL, - No you won't.¹⁵⁴

The Chairman, MR. PETRIE, called the hon. members to order. The hon. member for Quebec was out of order in saying he would do as he pleased.¹⁵⁵

MR. AYLWIN had not addressed the Chair, but the hon. member for Peterboro' when he made use of this expression.¹⁵⁶

MR. HALL was anxious that the hon. gentleman should be more explanatory.¹⁵⁷

MR. AYLWIN continued. With reference to this ill fated and unfortunate Province, bad as are the terms granted to it by the Union Act, are they to be made still worse? What, was the cry when his hon. friend from Terrebonne was at the head of the Government? "Upper Canada is governed by French Canadians, and a minority of the people of Upper Canada." Great attempts were then made to repeal the Union and obtain justice by the Upper Canadians, because they were ridden roughshod by the French Canadians. Yet in spite of all outcry, he would ask what measure was ever introduced, during the administration of his hon. friend, to alter the constitution of Upper Canada. And in those days when there was a strong Government, when it was said to be too strong, there was such forbearance practised to Upper Canada that nothing was interfered with. Yet it appears that Lower Canada is now to be victimised by Upper Canada with the assistance of Messrs. Viger, Moffatt, Taschereau and DeBleury. He would appeal to the hon. member for Three Rivers.¹⁵⁸

MR. R. MACDONALD, of Cornwall, requested the hon. member to keep to the

question if he knew how.¹⁵⁹

MR. CHALMERS ... pitied the miserable condition of the hon. member, and expressed a fear that he had bile on his stomach. (Uproar.)¹⁶⁰

MR. AYLWIN said it appeared that hon. gentlemen on the other side of the House thought that his observations were irrelevant. He could assure them that if they thought so, they were very much mistaken - for they were absolutely called for; and he took it for granted that if the Hon. President were permitted to address the House, a humble member of the opposition might say two or three words in answer. Well, that hon. gentleman had always been the most obsequious servant of that Ministry. He supported them on all occasions, except one, and where his difference with them on that one point was he had never dared to tell the country. Judas like, he shook hands with them, and one Sunday night, after dinner ---¹⁶¹

MR. JOHNSTON wished to know what that had to do with the question? He supposed the hon. gentleman had eaten many a good dinner himself. (Uproar.)¹⁶²

MR. CHALMERS rose to order. Expressions had been made use of to the Hon. President of the Council, who was an old man, which the hon. gentleman should make use of to a man about his age which was forty-eight. (Shouts of laughter.)¹⁶³ It was a disgrace for the Member for Quebec ... to attack that venerable gentleman. He (Mr. C.) was willing to stand in the gap to protect the President of the Council; if the Member for Quebec must abuse some one, he might turn upon him, and he would bear it willingly - he was near his age, but the Member for Three Rivers was too old a man to be treated in this manner.¹⁶⁴

MR. AYLWIN continued. Age is no protection for the President of the Council. Were he as old as Methuselah I would treat him in the same way¹⁶⁵, as long as he occupied that position. Why, he stood there to be hit at, to be attacked, and to defend himself.¹⁶⁶ I do wish he were younger, I have often done so, for then I might have disposed of him more summarily.¹⁶⁷ (Renewed laughter.)¹⁶⁸

Cries of "you dare not."¹⁶⁹

MR. CHALMERS had directed the hon. member to make the attack on him, and he (Mr. C.) would stand in the breach.¹⁷⁰

MR. AYLWIN assured them that any attempts made to interrupt him would only fail. With respect to the Union Act he looked upon it as similar to the union between Scotland and England, where the weel tochered lass was given over to a starving husband. There were terms, however, to that bargain. Then there was a union also between England and Ireland in which terms were agreed upon. Now here was the marriage of a well tochered lass - yes, and a beautiful lass - (hear) - with Upper Canada, where they were all bankrupts and beggars. (Tremendous shouts of "Order", "Question," &c.)¹⁷¹

The assertion was received with loud cries of "false, false," and a dozen Members from Upper Canada rose on each occasion and cast back the slur.¹⁷²

MR. PETRIE, the Chairman, begged the hon. gentleman to keep to the question.¹⁷³

MR. AYLWIN. - Yes, at the time of the union the people of Upper Canada were bankrupts and beggars. (Tremendous uproar.)¹⁷⁴

MR. WILLIAMS. - What do you mean by that, sir?¹⁷⁵

The chairman, MR. PETRIE, called ((the)) hon. gentleman to order. The hon. member from Quebec was not speaking to the question.¹⁷⁶

MR. AYLWIN asked to have the motion read.¹⁷⁷

The Chairman, MR. PETRIE, ... read it¹⁷⁸.

The ministerial members shouted "carried," and the opposition cried "lost."¹⁷⁹

MR. LAFONTAINE hoped the motion would not be put while Mr. Aylwin was still in possession of the floor.¹⁸⁰

The chairman, MR. PETRIE, replied, that the motion had not been put; he merely read it at the request of Mr. Aylwin.¹⁸¹

MR. G. MACDONELL (Dundas) said, if anything was wanting to convince the people of Upper Canada that they did well in hooting and rejecting the member for Quebec when in opposition to the late illustrious Governor, as their most uncompromising enemy, the occurrences of that evening, the remarks which that House had heard, removed all doubts on the subject. (Cheers.) That member could never expect to enjoy the confidence of the people of Upper Canada, for he had, again and again, proved himself unworthy of it. The member for Quebec had addressed the House in a rambling oration for an hour and a half, yet he had not pretended to show one solitary reason why the people of Upper Canada should not be placed on the same footing, as regarded the Administration of Justice, as those of this section of the Province. He had attacked the Union Bill, he had abused the President of the Council, he had arraigned Lord Sydenham and the Imperial Government, and, as he was an apostate legislator, he had proved himself to-day an apostate Englishman. The member for Quebec had stood up and declared that, when he was in power, a French Canadian majority had not attempted to force unpalatable measures on the people of Upper Canada; he had challenged an instance to be named in which it had been attempted to rule Upper Canada by a minority from Upper Canada and a majority of French Canadians. If that member were not impervious to shame, if he were not callous and hardened to public opinion, he would not have dared to have made an assertion which carried falsehood upon its face. Who was it that attempted to thrust an odious Assessment Law on the people of Upper Canada? - Who was it that attempted to abridge the liberties of the people, to deprive them of natural rights, and to bind them in worse than Egyptian bondage, by the Secret Societies Bill? It was true they had not been carried, because the Crown had stood between the people of Canada and their oppressors; and the people themselves rose and thrust out and rejected those who laboured to become tyrants and dictators over them, among whom was the member for Quebec. Upper Canada had been called bankrupt, beggary had been imputed to her people, but he cast back the imputation with

the scorn it merited; - the assertion had been made by but one man in that House - he believed that there could not be found another to repeat it. If Upper Canada had no money in her chest at the time of the Union, it was because she had invested it in public improvements, but she had ample estate and resources. It was to that investment that Lower Canada was indebted for her commercial prosperity. What would Lower Canada have been without Upper Canada? - whence came her exports, the wheat, the flour, the timber and the potash which had made Montreal the Emporium of Canada - which had poured wealth into the pockets of the merchants of Lower Canada? How would the people of Lower Canada freight the 1500 ships which leave her ports every year without the produce of Upper Canada? - the very bread consumed in the Lower came from the Upper section of the Province. And yet the people of Upper Canada were called bankrupts and beggars! - the assertion was a bold one, and as incorrect as it was bold. With regard to the question before the House, justice had long been denied to Upper Canada, and she would no longer tolerate denial, - she insisted on her right to be placed on an equal footing with the rest of the Province, as contributing largely to its revenues. It was not just that the people of Lower Canada should object to this, when they of Upper Canada did not complain that the petty officers of the Courts, which should be paid out of the law fees, were charged upon the Consolidated Fund, - that the chimneys of Three Rivers were swept at the public expense, and the taking of the census in Lower Canada charged on the Public Chest.¹⁸² ((He)) desired that the hon. gentleman should not be put down, but let hon. members mark his words, and see that they be replied to.¹⁸³

MR. AYLWIN would tell hon. gentlemen this, that before the union Upper Canada was in debt, and Lower Canada was not, and that Upper Canada was glad to send down its delegates in order to procure a loan in order to get the public works finished.¹⁸⁴

MR. ROBINSON. - It was for your benefit.¹⁸⁵

MR. HALL. - Where did the money come from?¹⁸⁶

MR. AYLWIN. - That should be asked from the hon. President of the Council, from whose ancestors it came. The hon. President appeared to be a little shaken, and therefore his heart might not be quite so hard as the mill stone after all; and he would ask the hon. members for Montreal how they could not justify the Vigers and Papineaus, those men whom they had formerly treated as traitors and rebels. With respect to the charge that he (Mr. A.) had changed his politics, he denied it; he had always been opposed to the Vigers and Papineaus, and always would be - for they had inflicted on the Province such a string of their relations that he could not believe they could produce any more, except a famous hero of the last war, who would no doubt be appointed Adjutant General shortly. (Hear.) Well, this infamous Union Act was passed in Upper Canada at a time when they were bankrupts and beggars ---¹⁸⁷

MR. MEYERS hoped the hon. gentleman would abstain from using such harsh terms. The ministerialists did not apply the terms rebel or traitor to his side of the House,¹⁸⁸ although they might have thought them so¹⁸⁹, ((and)) they perhaps deserved them. (Confusion.)¹⁹⁰ The course pursued

by Members on the other side was uncourteous and injudicious. If they sought to provoke hard names, it would be as easy for his side to retort as it was to them to attack.... If this conduct was repeated, they would find that Upper Canada could repay them with interest in their own coin.¹⁹¹

MR. AYLWIN was sorry to see that the hon. member felt it so keenly.¹⁹²

MR. CHALMERS rose to order. The hon. member from the citadel of Quebec¹⁹³ appeared to have been dipped in the filth of the Cul-de-Sac¹⁹⁴; ((he certainly)) smelt as though he had wet himself in a cul-de-sac. - (Uproar.)¹⁹⁵

MR. AYLWIN declined to proceed in consequence of these numerous interruptions.¹⁹⁶

MR. MOFFATT said that after the repeated allusions that had been made to him, he could not avoid making a few remarks¹⁹⁷. He did not assert that the Member for Quebec was the enemy of the French Canadians, but¹⁹⁸ he had attended meetings of the Constitutional Society, with that hon. member,¹⁹⁹ he had heard him speak on many occasions ... and no man had concluded more strongly in favour of raising the British population of Lower Canada from the position they then occupied, and giving them dominance in this section of the Province; and that was all he would say to the honourable! learned! and consistent Member for Quebec.²⁰⁰ He had been also referred to by the hon. member for Terrebonne for his conduct in the special Council and was charged with yielding to the will of Lord Sydenham.²⁰¹ He defended the course which he (Mr. M.) had taken in the Special Council, he sat there as the representative of his own opinions, and not as the delegate of any part of Lower Canada. He shrunk from nothing that he had done in that capacity. That House had been told that the people of Upper Canada at the time of the Union, were bankrupts and beggars, - he denied the assertion; all that Upper Canada required was the controul of her own resources,²⁰² she was held in trammels by the Lower Province in consequence of having no sea port of her own²⁰³, and had she possessed that, she would have been in a very different position.²⁰⁴ He (Mr. Moffatt,) had supported the act of Union to remove that state of things and to avert a conflict between the two Provinces which he saw would otherwise come.²⁰⁵ He had looked upon the Union Bill as the only measure which would give Constitutional Government to Lower Canada; and would release Upper Canada from the thralldom in which she was held by the Sister Province, through having no seaports of her own. He had believed that if the Union Bill would unite conflicting interests, that it would soften the asperities of feeling; and now, if the French Canadians would unite with the people of Upper Canada in working out the Union Act, it would be found a measure of infinite benefit to the whole Province. He would tell those Members that if they did not do so, three years would not elapse before they would feel the effects of their opposition, and their voice would no longer be able²⁰⁶ to obstruct the business of the country²⁰⁷, ((and)) the carrying out of that Act. (Loud cheers.) He had been no sycophant of Lord Sydenham's; he had opposed him upon several occasions when he stood alone,²⁰⁸ and at Kingston, he (Mr. Moffatt,) was complimented for his Independent demeanor;²⁰⁹ and the Member for Quebec, among other Members of ... the Op-

position who now taunted him with his conduct, had highly complimented him, and declared that he had acted like an Englishman²¹⁰ ((and)) an independent gentleman.²¹¹ He took no merit to himself for this, but he alluded to it to cast back the imputation on the other side of the House. He considered the measure before the House as an act of justice to Upper Canada.²¹² It was one of those that would cause some feeling at first, but it would soon be forgotten in the great good it would effect, and especially in assimilating still more the condition²¹³ ((and)) the people of the two sections which was the great object of the Union. Some remarks had been made that such a procedure was contrary to the Union Act. Those who were so anxious not to meddle with its provisions, should remember that already had that House sanctioned an alteration in them; they should remember that the French language had been conceded the people of Lower Canada in the proceedings of the House, and although the British population had laid great stress upon that clause when first inserted, yet no voice had been raised against its repeal, no Member from Upper Canada was found prejudiced enough to oppose it²¹⁴, so it would be in time with the present question.²¹⁵

MR. DEWITT regretted that many remarks had been made to excite angry feeling²¹⁶. ((He)) compared the scene which had taken place this evening with the good feeling which had prevailed on the Militia Bill²¹⁷ and was sorry that the same spirit had not been manifested among the members, as was evinced ((then)) when the militia bill was discussed.²¹⁸ He regretted that a member on his side of the House should have interrupted the harmony of the House by the personal remarks made upon members opposite; he was sorry that such reflections should proceed from either side.²¹⁹

DR. TACHE declined to enter upon the discussion of the subject at this late hour of the evening, but he would on a future occasion, reply to some of the remarks of the hon. member for Dundas.²²⁰

The resolutions and schedule were put and carried by a large majority²²¹.

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Petrie reported that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be
postponed until Monday next.

Then, on motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Cayley,

The House adjourned until Monday next.

APPENDIX, 8 MAY 1846.

((ANNOUNCEMENT OF PROROGATION.))²²²

MR. AT. GEN. DRAPER stated ... that Parliament would be prorogued on the 23rd of this month.²²³

FOOTNOTES - 8 MAY 1846.

1. The debate on this motion was reported by: MIRROR, 8 May 1846, and PILOT, 12 May 1846, in identical accounts; MONTREAL GAZETTE, 11 May 1846, KINGSTON NEWS, 14 May 1846, copying MONTREAL COURIER, and BRITISH COLONIST, 19 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 12 May 1846. A commentary appeared in PILOT, 9 May 1846, in which it was observed: "The House was occupied for some hours with a discussion of Mr. Baldwin's motion for the payment of Mr. Durand's expenses."
2. MONTREAL TRANSCRIPT, 12 May 1846.
3. MIRROR, 8 May 1846.
4. MONTREAL TRANSCRIPT, 12 May 1846.
5. MIRROR, 8 May 1846.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. MONTREAL GAZETTE, 11 May 1846.
16. MIRROR, 8 May 1846.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID. MONTREAL GAZETTE, 11 May 1846, referred to "sixpence of the money of the country."
25. MIRROR, 8 May 1846.
26. MONTREAL GAZETTE, 11 May 1846.
27. MIRROR, 8 May 1846.
28. IBID.
29. IBID.
30. IBID.
31. MONTREAL GAZETTE, 11 May 1846.
32. MIRROR, 8 May 1846.
33. IBID.
34. IBID.
35. MONTREAL GAZETTE, 11 May 1846.
36. MIRROR, 8 May 1846.
37. MONTREAL GAZETTE, 11 May 1846.
38. IBID.
39. MIRROR, 8 May 1846.

40. IBID.
41. MONTREAL GAZETTE, 11 May 1846.
42. MIRROR, 8 May 1846.
43. MONTREAL GAZETTE, 11 May 1846.
44. MIRROR, 8 May 1846.
45. IBID.
46. IBID.
47. MONTREAL GAZETTE, 11 May 1846.
48. IBID.
49. MIRROR, 8 May 1846.
50. IBID.
51. MONTREAL TRANSCRIPT, 12 May 1846.
52. IBID.
53. The debate on this motion was reported by: MONTREAL GAZETTE, 11 May 1846, KINGSTON NEWS, 14 May 1846, and BRITISH COLONIST, 19 May 1846, both copying MONTREAL COURIER, 9 May 1846; MIRROR, 8 May 1846, and PILOT, 14 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 9, 12 May 1846; EXAMINER, 20 May 1846; BATHURST COURIER, 19 May 1846; MONTREAL GAZETTE, 9 May 1846; and PILOT, 9 May 1846. Commentaries appeared in : PILOT, 12, 23 May 1846; BRITISH COLONIST, 19 May 1846; and L'AUREOLE, 13 May 1846. PILOT, 9 May 1846, commented: "The House was occupied until a very late hour with the consideration of Mr. Cayley's resolutions.... The debate was very stormy."
54. MIRROR, 8 May 1846.
55. IBID. EXAMINER, 20 May 1846, observed: "LaFontaine spoke with much energy, and for a long time." MONTREAL TRANSCRIPT, 12 May 1846, noted that he "was not heard very distinctly in the gallery".
56. MIRROR, 8 May 1846.
57. MONTREAL GAZETTE, 11 May 1846.
58. MONTREAL TRANSCRIPT, 12 May 1846.
59. IBID. BRITISH COLONIST, 19 May 1846, citing MONTREAL COURIER, 9 May 1846, observed: "Mr. Aylwin has been absent for some days, and only returned to the house last evening, and was, as is too frequently the case with him, very far from being sober."
60. MONTREAL TRANSCRIPT, 12 May 1846. The reportorial style of MONTREAL TRANSCRIPT is a biased one from which it is almost impossible to extract factual material. The speeches reported below must therefore be judged accordingly.
61. MONTREAL TRANSCRIPT, 12 May 1846.
62. BRITISH COLONIST, 19 May 1846.
63. MONTREAL TRANSCRIPT, 12 May 1846.
64. IBID.
65. BRITISH COLONIST, 19 May 1846, citing MONTREAL COURIER, 9 May 1846, observed: "his rising was a signal for the member for Quebec to become still more noisy and insulting." MONTREAL TRANSCRIPT, 9 May 1846, commented: "He ... insulted Mr. Viger by the grossest gestures which a pot house ever witnessed."
66. MIRROR, 8 May 1846.
67. MONTREAL TRANSCRIPT, 12 May 1846.

68. IBID.
69. IBID.
70. IBID. BRITISH COLONIST, 19 May 1846, citing MONTREAL COURIER, 9 May 1846, commented: "Mr. Petrie, a quiet, timid man made one or two attempts to preserve order, but in such a manner as rather to incite the contrary."
71. MONTREAL TRANSCRIPT, 12 May 1846.
72. IBID.
73. IBID.
74. IBID.
75. MONTREAL GAZETTE, 11 May 1846.
76. MONTREAL TRANSCRIPT, 12 May 1846.
77. MONTREAL GAZETTE, 11 May 1846.
78. MONTREAL TRANSCRIPT, 12 May 1846.
79. IBID.
80. BRITISH COLONIST, 19 May 1846.
81. MONTREAL TRANSCRIPT, 12 May 1846.
82. IBID.
83. MIRROR, 8 May 1846.
84. MONTREAL TRANSCRIPT, 12 May 1846.
85. IBID. According to MONTREAL TRANSCRIPT, Mr. Aylwin spoke "in a sneering tone".
86. MONTREAL TRANSCRIPT, 12 May 1846.
87. MIRROR, 8 May 1846.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. IBID.
93. MONTREAL TRANSCRIPT, 12 May 1846.
94. MIRROR, 8 May 1846.
95. IBID.
96. IBID.
97. MONTREAL TRANSCRIPT, 12 May 1846.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID. According to MONTREAL TRANSCRIPT, 12 May 1846, Petrie's speech was made "in a feeble tone of voice."
103. MONTREAL TRANSCRIPT, 12 May 1846.
104. MIRROR, 8 May 1846.
105. IBID.
106. MONTREAL TRANSCRIPT, 12 May 1846.
107. BRITISH COLONIST, 19 May 1846.
108. MIRROR, 8 May 1846.
109. MONTREAL TRANSCRIPT, 12 May 1846.
110. MIRROR, 8 May 1846. According to MIRROR, Hall spoke "in an excited tone."
111. MIRROR, 8 May 1846.
112. IBID. BRITISH COLONIST, 19 May 1846, citing MONTREAL COURIER,

- 9 May 1846, commented: "Amidst cries of defiance, threats, and exclamations of disgust, the chairman vacated the chair."
113. MIRROR, 8 May 1846.
 114. IBID.
 115. BRITISH COLONIST, 19 May 1846.
 116. IBID.
 117. MONTREAL TRANSCRIPT, 12 May 1846.
 118. MIRROR, 8 May 1846.
 119. MONTREAL TRANSCRIPT, 12 May 1846.
 120. IBID.
 121. BRITISH COLONIST, 19 May 1846.
 122. MONTREAL TRANSCRIPT, 12 May 1846.
 123. IBID.
 124. IBID.
 125. IBID.
 126. IBID.
 127. IBID.
 128. IBID.
 129. IBID.
 130. BRITISH COLONIST, 19 May 1846.
 131. IBID.
 132. MIRROR, 8 May 1846. PILOT, 9 May 1846, reported "after an hour's debate or more, the public were admitted.... The debate was resumed, but with as much heat as before."
 133. MIRROR, 8 May 1846.
 134. IBID.
 135. IBID.
 136. IBID.
 137. IBID.
 138. IBID.
 139. IBID.
 140. IBID.
 141. IBID.
 142. IBID.
 143. IBID.
 144. IBID.
 145. IBID.
 146. IBID.
 147. IBID.
 148. IBID.
 149. IBID.
 150. IBID.
 151. IBID.
 152. IBID.
 153. IBID.
 154. IBID.
 155. IBID.
 156. IBID.
 157. IBID.
 158. IBID.

159. IBID.
160. IBID. According to the MIRROR, Mr. Chalmers spoke "in a tone of commiseration".
161. MIRROR, 8 May 1846.
162. IBID.
163. IBID.
164. MONTREAL GAZETTE, 11 May 1846.
165. IBID.
166. MIRROR, 8 May 1846.
167. MONTREAL GAZETTE, 11 May 1846.
168. MIRROR, 8 May 1846.
169. MONTREAL GAZETTE, 11 May 1846.
170. MIRROR, 8 May 1846.
171. IBID.
172. MONTREAL GAZETTE, 11 May 1846.
173. MIRROR, 8 May 1846.
174. IBID.
175. IBID.
176. IBID.
177. IBID.
178. IBID.
179. IBID.
180. IBID.
181. IBID.
182. MONTREAL GAZETTE, 11 May 1846.
183. MIRROR, 8 May 1846.
184. IBID.
185. IBID.
186. IBID.
187. IBID.
188. IBID.
189. MONTREAL GAZETTE, 11 May 1846.
190. MIRROR, 8 May 1846.
191. MONTREAL GAZETTE, 11 May 1846.
192. MIRROR, 8 May 1846.
193. IBID.
194. MONTREAL GAZETTE, 11 May 1846.
195. MIRROR, 8 May 1846.
196. IBID.
197. IBID.
198. MONTREAL GAZETTE, 11 May 1846.
199. MIRROR, 8 May 1846.
200. MONTREAL GAZETTE, 11 May 1846.
201. MIRROR, 8 May 1846.
202. MONTREAL GAZETTE, 11 May 1846.
203. MIRROR, 8 May 1846.
204. MONTREAL GAZETTE, 11 May 1846.
205. MIRROR, 8 May 1846.
206. MONTREAL GAZETTE, 11 May 1846.
207. MIRROR, 8 May 1846.

208. MONTREAL GAZETTE, 11 May 1846.
209. MIRROR, 8 May 1846.
210. MONTREAL GAZETTE, 11 May 1846.
211. MIRROR, 8 May 1846.
212. MONTREAL GAZETTE, 11 May 1846.
213. MIRROR, 8 May 1846.
214. MONTREAL GAZETTE, 11 May 1846.
215. MIRROR, 8 May 1846.
216. IBID.
217. MONTREAL GAZETTE, 11 May 1846.
218. MIRROR, 8 May 1846.
219. MONTREAL GAZETTE, 11 May 1846.
220. MIRROR, 8 May 1846.
221. IBID. MIRROR added "all the Upper Canada members present voting for them."
222. The announcement of the Prorogation was reported in identical accounts by: BRITISH COLONIST, 15 May 1846, KINGSTON NEWS, 14 May 1846, MONTREAL GAZETTE, 13 May 1846, and COBOURG STAR, 20 May 1846. The MONTREAL GAZETTE and COBOURG STAR acknowledged the MONTREAL COURIER as their source. LA MINERVE, 14 May 1846, contained a commentary.
223. MONTREAL GAZETTE, 13 May 1846.

MONDAY, 11 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table.

By Mr. Cauchon,--The Petition of Flavien Valle-
rand, of the City of Montreal.

By Mr. Méthot,--The Petition of L. M. Cressé, Esquire, and others, the
Municipal Council of the Parish of St. Jean Baptiste de Nicolet; and the
Petition of J. B. Barnardin and others, of the Township of Kingsey, in the
District of St. Francis.

By Mr. Dickson,--The Petition of Alexander M'Leod, of Stamford.

By Mr. Desaulniers,--The Petition of the Reverend Messire Le Bourdais
and others, of the Parish of St. Antoine de la Rivière du Loup, in the Dis-
trict of Three Rivers.

By Mr. Stewart, of Bytown,--The Petition of N. Sparks and others, of
Bytown; and the Petition of William Smyth and others, of the Township of
Gloucester, in the District of Dalhousie.

By Mr. Roblin,--The Petition of George Watson and others, of the Town-
ship of Sarnia.

By Mr. Jessup,--The Petition of Henry Burritt and others, of the Town-
ship of Oxford and its vicinity.

By the Honourable Mr. Daly,--The Petition of the Reverend Richard
Anderson and others, Members of the United Church of England and Ireland,
in the Diocese of Quebec.

Registry Law
Bill, (U. C.)

An Engrossed Bill to consolidate and amend the
Registry Laws of Upper Canada, was read for the third
time.

Resolved, That the Bill do pass, and the title be, "An Act to consolidate
and amend the Registry Laws of that part of this Province which was
formerly Upper Canada."

Ordered, That the Honourable Mr. Attorney General Draper do carry the said
Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day the following
Petitions were read:--

Of Mrs. Hélène Ritchie, widow of the late Joseph Déroche, of the Parish
of Beauport, in the District of Quebec; praying that her rights may be pro-
tected in any law that may be passed relating to the validity of certain
instruments of marriage contracts.

Of Robert Walker and others, of the Township of Woodhouse, in the Dis-
trict of Talbot; praying for certain alterations to the present Charter
of King's College.

Of Robert Defries; praying for an alteration in the mode of his present
remuneration as Post Office Carrier to the Legislative Assembly.

Of George O'Kill Stuart, Esquire, and others, of the City of Quebec
and its vicinity; praying that certain steps may be taken to carry out the
project of connecting the River St. Lawrence and the Atlantic by means of

a Railway.

Of William Rees, late Medical Superintendent of the Provincial Lunatic Asylum at Toronto; praying to be allowed the compensation provided by the Statute 2nd Victoria, cap. 11, for his services as such Superintendent.

Of Thomas Farley and others, of Caister, Gainsborough, and Grimsby; praying that the Bill to remove the site of the District Town of the District of Niagara, may not pass into a law.

Of Robert D. Rogers and others, of that part of the Township of Otonabee, in the District of Colborne, adjoining the Town of Peterborough; praying that in case the said Town be incorporated, its limits may not be extended eastward of the Otonabee River.

Of His Grace the Archbishop of Quebec, the Right Reverend the Catholic Bishop of Montreal, and other Catholic Bishops, the coadjutors of the Dioceses of Quebec and Montreal; praying that property of the late Order of Jesuits may be placed under their control, for educational and other purposes, according to the original intention of the donors.¹

Of Jean Langevin of the City of Montreal, Esquire; praying that certain arrears be paid him as Clerk to the Municipal Council of the District of Quebec.

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Of F. B. Blanchard, Esquire and others, of the County of Drummond; praying that the Act 6 Vict. c. 12, relating to Winter Roads, be maintained in force in the County of Drummond.

Of the President and Board of Police of the Town of Hamilton; praying that the Bill to vest a certain Road allowance in Robert Jarvis Hamilton, may not be passed into a law.

Of James Johnston, Esquire, and others, of the District of Dalhousie; praying that the sum appropriated last Session, for the improvement of a Branch of the Mississippi, may be expended thereon.

Petitions
referred:--

F. B. Blanchard, et al.

Ordered, that the Petition of F. B. Blanchard, Esquire, and others, of the County of Drummond, be referred to the Select Committee to which was referred the Bill for the better regulation of the Militia of this Province.

P. Renouf,
et al.

Ordered, That the Petition of Philippe Renouf, Esquire, Mayor, and others, Councillors of the Municipality of Notre Dame des Neiges des Trois Pistoles, in the County of Rimouski; the Petition of Louis Bertrand, Esquire, Mayor, and others, the Municipal Council of the Parish of St. Jean Baptiste de L'Isle Verte; and the Petition of the Mayor and Councillors of the Municipality of Rivière du Loup, in the County of Rimouski, be referred to the Select Committee to

L. Bertrand,
Esq. et al.

Mayor, &c.
of Rivière
du Loup.

which was referred the Petition of J. B. A. Chamberland, Esquire, and others, of the County of Rimouski, and another reference.

Toronto
Incorpor-
ation Bill.

Mr. Boulton, from the Select Committee to which was referred the Bill to amend the Act of Incorporation of the City of Toronto, reported that the Committee had gone through the Bill, and had made several amendments

thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House, to-morrow.

Private Bills.

Mr. Hale, from the Standing Committee on Private Bills, presented to the House the Fifteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Quebec St.
George's So-
ciety Bill.

Your Committee have examined the Bill to incorporate the St. George's Society of Quebec, and have made amendments thereto, which they submit to your Honourable House: they would, however, at the same time respectfully call the attention of your Honourable House, as they have previously done, to the remarks contained in their 8th Report, in relation to the incorporation of companies of this nature.

They have also considered the Bill to amend the Act of Lower Canada, therein mentioned, extending certain Privileges to persons of the Jewish persuasion, and have made several amendments thereto, which they also submit to your Honourable House.

On motion of Mr. Gowan, seconded by Mr. Armstrong,

Address, Lake
St. Peter
Expenditure.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House, the following particulars relative to the Expenditure of the sum of Fifty-eight Thousand Pounds, granted by the 4th and 5th Victoria, chapter 28, for the Deepening of Lake St. Peter.

- 1st. The amount Expended in the Purchase of Steamers and in Dredging and other Machines, used upon the said work.
- 2nd. The amount Expended in the Hiring or Leasing of Steamers employed thereat.
- 3rd. The amount of all sums Paid for Labour done; distinguishing the sums Paid to Engineers, Superintendents, and Officers in command of Steamers and Dredging Machines; together with the time of their employment, the remuneration paid to each, and the names of the parties so employed.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Price, seconded by the Honourable Mr. Baldwin,

Albion Road
Bill.

Ordered, That the amendments made by the Legislative Council, to the Bill, intituled, "An Act to incorporate certain Persons under the name of the Albion Road Company," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

IN THE BILL.

Press 2, line 27.--After "expedient," insert "Provided always, that it shall and may be lawful for the said Company, and they are hereby required to apply the proceeds of the Stock subscribed expressly for the purpose of making the branch Road last named in the Preamble, in constructing the same."

" 12, " 31.--After "corner," insert "and also to make a branch Macadamized or planked Road through the Townships of York and Vaughan, commencing at the line of the Township of King, between the Eighth and Ninth Concessions, and following the public highway, laid out and known as the King Road to the Township of York, and to be continued through the said Township of York, so as to intersect the Albion Road at some point between its commencement in rear of Lot Number Twelve, in the Fifth Concession, and Conatt's Corner, in Concession A, in the Township of Etobicoke."

PREAMBLE.

Press 1, line 25.--After "Toronto," insert "and also to made a branch Macadamized or planked Road through the Townships of York and Vaughan, commencing at the line of the Township of King, between the Eighth and Ninth Concessions, and following the public highway, laid out and known as the King Road, to the Township of York, and to be continued through the said Township of York, so as to intersect the Albion Road, at some point between its commencement in rear of Lot Number Twelve, in the Fifth Concession, and

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Conatt's Corner in Concession A, in the Township of Etobicoke."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Price do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Christie, seconded by the Honourable Mr. Laterrière,

Magdalen Islands Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act relating to the Magdalen Islands in the Gulf St. Lawrence,

and to enable the inhabitants, householders therein, to establish a Municipal Council in the said Islands; and to extend the like advantages to certain localities in the County of Saguenay, and to those parts of the Counties of Rimouski and Kamouraska, known as the Madawaska Territory," be now taken into consideration.

The House proceeded accordingly to take the said amendments into con-

sideration.

And the said amendments were read, and are as followeth:

- Press 1, line 24.--After "year," insert "and being respectively of the male sex, of the full age of twenty one years, and subjects of Her Majesty by birth or naturalization."
- " " " 25.--After "sixth" insert "and."
- " " " 25.--Leave out "eighth, ninth, and tenth."
- " " " 32.--Leave out from "as" to "same" in line 35, both inclusive, and insert "qualified to vote at such election."
- " 2, " 4.--Leave out "person or persons," and insert "such inhabitant householder or householders"
- " " " 5.--After "to" leave out "the," and insert "this."
- " " " 6.--Leave out "said."
- " " " 7.--After "fit," insert "or from being elected thereat."
- " " " 9.--After "limited to," insert "such freeholders as aforesaid and to."
- " " " 13.--After "to," insert "mere."
- " " " 19.--After "householders," insert "not being freeholders, but being otherwise qualified to vote under this Act."
- " 3, " 2.--After "places," leave out from the first "and" to "ex officio," both inclusive, and insert "Provided always, that no person shall be elected as a Councillor, or act as such, under the provisions of this Act, unless he shall be a qualified voter for the Municipality for which he is elected, and possessed of Real Property therein to the value of fifty pounds currency, over and above every charge or incumbrance thereon."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Christie do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments."

MR. ERMATINGER² moved for the appointment of a select Committee to inquire into the petition of William Hillis and others of the London District, complaining of Henry Allen, Esq. Judge of the District and Division Court.³ Mr. E. explained that his object was to have the said Judge removed.⁴ He said that the subject was one of the greatest importance, and one on which no delay should take place. Since he brought the subject before the House on the present occasion, he had obtained a petition to this House, and there was one from John Wilson, Esq., Barrister of the town of London. In those petitions specific charges are made, and he hoped that her Majesty's ministers would assist him, as he could not see that there was any other course to pursue except that he was pursuing.⁵ The hon. member read several of the strongest points from a petition which had been presented to the House by Mr. Draper on the same subject.⁶ He

stated that he had been for a number of years in correspondence in reference to Judge Allen with the Government, and although politely enough answered, he did not conceive that that attention was paid to his communications (sic) that they deserved, not that he would take to himself any undue importance, but he thought that when the representative of a District or County presented a petition, some attention ought to be paid to it. He did not know that the gentleman in question has ever been of any service to the country, and he did not know why he should be treated with so much delicacy. He did not consider that any person should be chosen before native talent. He did not think that the history of any country would afford a precedent in which a Judge had been so long on the bench after the numerous complaints that have been preferred. He hoped that her Majesty's Government would not attempt to baffle him, he had that much confidence in them that he felt sure that they would assist him. If this motion did not pass he would divest himself of all responsibility conceiving that he had performed his duty.⁷

MR. AT. GEN. DRAPER, after seeing the Petition,⁸ trusted that the motion would be successful, but he hoped that the hon. gentleman did not intend to take his petitions out of his hands.⁹ He would not oppose the motion to refer the petition of William Hillis⁹, ((but)) he thought it was rather an extraordinary course that the hon. member had taken¹⁰. He had brought forward nothing of his own to substantiate his accusation, but had taken¹¹ up the petition of William Hillis, and one numerously signed¹², entrusted to him (Mr. Draper), upon which the Government had taken action,¹³ so as not to present to the House an ex parte case.¹⁴ He protested against that Petition being taken out of his hands in this summary way. Upon the receipt of this Petition,¹⁵ the Government had written to the learned Judge on the subject of the complaints contained in it,¹⁶ with the intention of laying both the Petition and Reply before the House¹⁷, and he (Mr. Draper) only waited for his reply to bring the matter before the House.¹⁸

MR. BALDWIN thought the House ought not to grant a Committee, until due time had been allowed for the reception of the correspondence spoken of by the Attorney General (West).¹⁹ ((He)) considered any action of the House would be premature, until an answer had been received from the Judge.²⁰ OR It would seem prudent to allow the motion to pass after what had been said by the learned Attorney General West.²¹

MR. AT. GEN. DRAPER, on the receipt of the petition, forwarded its contents to the proper quarter, and also sent to Judge Allen requesting his answer, if after a reasonable time no answer was returned, he would bring the matter before the House.²²

MR. WILLIAMS considered it premature to take any steps from what had fallen from the learned Attorney General.²³

MR. HALL, considered that the Committee had a perfect right to take the petition of John Wilson into consideration. If one tenth of the charges are true that are mentioned in the petition Judge Allen ought not to hold his seat for one hour, they are certainly most extraordinary accusations and he did not think that the House was bound to wait for the accusations of the Government. If after all our waiting the Government say that they are satisfied, and that they are not going to take any

further steps in the matter, then the session will have passed over, and the country will have to be inflicted with the Judge for another (sic) year.²⁴

MR. G. MACDONELL²⁵ (Dundas) ... thought the Committee ought to be appointed at once.²⁶

MR. AT. GEN. DRAPER said he had no objection to the reference of the Petition presented by Mr. Ermatinger²⁷. No time has been lost in the matter, he ((Mr. Draper)) wrote off to the Judge with as much expedition as possible. He recognised the full right of the house to investigate the matter²⁸. ((He)) did not for a moment object to the House appointing a Committee,²⁹ but he did think that it was a very unusual³⁰ ((and)) unparliamentary course which he ((Mr. Ermatinger)) had adopted, of taking³¹ an important petition³² out of the hands of the gentleman to whom it was entrusted,³³ who presented it, and who is responsible for it³⁴, without his permission. The Petition presented by the Member for Middlesex was full of vague assertions, but the one entrusted to him contained specific charges, and charges of which, he felt bound to say, if one tenth was true, would justify his dismissal.³⁵

MR. AYLWIN, should vote for the motion of the member for Middlesex.³⁶

MR. AT. GEN. DRAPER, so shall I.³⁷

MR. AYLWIN ((continued:)) What right he would ask have the Government to correspond with the Judge, and not bring the matter before the House till they had received the Judge's answer; he conceived that it was absolutely necessary that an investigation should take place, he had been told that³⁸ this "petty," this "insignificant,"³⁹ judge was to be treated as the Chief Justice of Montreal. In Lower Canada our small judges can be easily used up by the Executive but in Upper Canada, you must treat them as you are now treating the Chief Justice of Lower Canada. He was sitting on a Select Committee on the administration of Justice in Lower Canada, where it was wanted to get rid of the Chief Justice of Montreal, you might do anything against him, but mark the difference, this little bit of a Judge⁴⁰, this "miserable Judge,"⁴¹ cannot be touched, and for why, because he is under the patronage of the Executive, but you can do any thing against the Chief Justice because he has fallen under the displeasure of the Executive. He was not prepared to believe that the charges were true, till they had been proved. The member for Peterboro' blamed the Ministry.⁴²

MR. HALL, your ears deceived you.⁴³

MR. AYLWIN certainly was deceived by his ears, he must have misunderstood him, for he supposed him to make imputations on the Ministry. He agreed that if one tenth of the charges were true, that were set forth in the petition of John Wilson he ought not to sit our (sic) hour longer.⁴⁴ Charges brought against the Chief Justice of Montreal, who had not been complained against to the House, had been brought before the House by Mr. Prosecutor Attorney General, who, he said, had never prosecuted any one else, and who now, in proceeding against that learned gentleman, was like a mousing owl attacking a splendid eagle.⁴⁵ His hon. friend from Terrebonne had been attacked for not attending to his duties in the Court,

while he was at Kingston, but the present Attorney General while residing at Montreal cannot find it convenient to attend to his duties as public prosecutor. There is nothing like contrast. With reference to this little Judge⁴⁶, "this man unknown to fame,"⁴⁷ he is under the protection of the Ministry and you cannot touch him; with reference to the Chief Justice he has fallen under the displeasure of the administration, and he must be removed.⁴⁸

MR. AT. GEN. SMITH said that the reference made by the hon. member for Quebec to the eagle, reminded him of some persons, whose ambition prompted them to soar like that noble bird, but whose weakness made them exhibit themselves more like turkies. (Laughter.) The hon. member had said that this "petty Judge" was unknown to fame - that hon. member certainly would not be unknown to fame. He contended, however, that the same treatment had been extended to both the learned Judges to whom the hon. member alluded. the conduct of neither of them had been brought before the House until the charges against each of them had been laid before him. Every possible means had been used to prevent the case of the learned Chief Justice from being brought before the House, and so far from his (Mr. S.) being a public prosecutor, he had expressly stated that there was no charge of misconduct against that gentleman; he had only done what he was obliged to do, and what was a painful duty viz. to relieve himself from responsibility by making the House acquainted with the difficulty that existed as to the Administration of Justice in the District of Montreal.⁴⁹ It was not the fact that the charges respecting the Bench of Montreal were concealed from the Chief Justice; on the contrary, they had been fully reported to that functionary, and the Government had endeavoured during twelve months to come to such an arrangement as would prevent the necessity of a Parliamentary enquiry.⁵⁰ The bringing of the subject before the House was in both cases rendered necessary by the Act of the hon. member for Quebec which rendered the Judges independent of the Executive.⁵¹

* MR. ERMATINGER did not rank Judge Allen with such a distinguished official as Chief Justice Vallieres, but it should not be forgotten that the population over which he (Judge Allen) tyrannizes was 40,000, and his salary was some £500. He (Mr. Ermatinger) had never charged the Judge with anything like corruption, but he thought that the many minor charges preferred made an important whole; incapacity was the great complaint (sic); one of the petitions spoke of alienation of mind. (Laughter.) He was happy to find that the Government were disposed to adopt proceedings, but he thought they did not propose the right course; he would press his motion; no time would be lost by it; if the Judge were communicated with and his answer found satisfactory, enquiry would not took (sic) place; if, on the contrary, enquiry was to take place nothing could be done this session, the House being about to adjourn.⁵²

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Petition of W.
Hillis, et al.
referred.

Resolved, That the Petition of William Hillis and
others, of the District of London, be referred to
a Special Committee to examine the contents
thereof, and to report thereon, with all convenient
speed; with power to send for persons, papers, and records.

Ordered, That Mr. Ermatinger, the Honourable Mr. Attorney General Draper, the Honourable Mr. Baldwin, the Honourable Mr. Aylwin, and Mr. Macdonald of Kingston, do compose the said Committee.

*Message from
Legislative
Council.*

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:--

*Dumfries
Road Bill.*

"An Act to vest in James K. Andrews a certain allowance for Road, in the Township of Dumfries, in the District of Gore."

Attainder Bill.

"An Act to restore the Rights of certain Persons attainted for High Treason."

*Spirituous
Liquors
Duty Bill.*

"An Act to repeal certain Acts therein mentioned, and to impose a Duty on Distillers and on the Spirituous Liquors made by them, and to provide for the Collection of such Duties."

Also,

*LEGISLATIVE COUNCIL,
Monday, 11th May, 1846.*

*Quebec Gas
and Water
Company In-
corporation
Repeal Bill.*

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and request that they will communicate to this House the Documents, Evidence, and Proofs, upon which is founded the Bill, intituled, "An Act to repeal the Act incorporating the Quebec Gas Light and

Water Company."

Also,

*LEGISLATIVE COUNCIL,
Monday, 11th May, 1846.*

*Quebec
Gas Bill.*

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and request that they will communicate to this House the

Documents, Evidence, and Proofs, upon which is founded the Bill, intituled, "An Act for Lighting the City of Quebec with Gas."

And also,

*LEGISLATIVE COUNCIL,
Monday, 11th May, 1846.*

*Quebec
Water Bill.*

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and request that they will communicate to this House the

Documents, Evidence, and Proofs, upon which is founded the Bill, intituled, "An Act for supplying the City of Quebec, and parts adjacent thereto, with Water."

And then he withdrew.

Message from
Governor
General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency the Governor General, signed by His Excellency.⁵³

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

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Saguenay Fire.

CATHCART.

The Governor General informs the Legislative Assembly, that he has heard, with great regret, of the recent occurrence of an extensive and destructive fire in the County of Saguenay, and that it is His intention to adopt proper measures for instituting an enquiry on the spot, as to the extent of assistance that may be necessary for the relief of the unfortunate people who may have been rendered destitute by this distressing calamity; and for the issue of such number of Rations, under the authority of the Commissary General, as the necessities of the sufferers may require.

The Governor General recommends to the consideration of the House, the expediency of making provision for the same, and for granting such further aid in this behalf as in their wisdom they may deem applicable to the circumstances of the case.

GOVERNMENT HOUSE,

11th May, 1846.

R. F. Gourlay.

Mr. Smith, of Wentworth, moved, seconded by Mr. Thompson, that Robert Fleming Gourlay, be heard at the Bar of this House, by Counsel, on Wednesday next, in support of his Petition.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

On motion of Mr. Cauchon, seconded by Mr. Christie,

Address,
Officers in
Public De-
partments.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will be pleased to cause to be laid before this House, the names of all Officers employed in the Departments of the Inspector General, Receiver General, Commissioner of Crown Lands, the Executive Council, the Provincial Registrar, the Board of Works, and the Attorneys General; the Salaries of the said Officers respectively; and the dates of their Appointments; and also, to be pleased to cause to be shewn whether such Officers are employed permanently or temporarily; which of them are employed temporarily and which permanently, and how long they have respectively been employed temporarily or permanently.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Lantier, seconded by Mr. Méthot,

Address,

Resolved, That an humble Address be presented to His

Delisle Bridge.

Excellency the Governor General; praying His Excellency to cause the proper Officer to lay before this House, copy of any Report made by the Board of Works, (if any has been made) on the Petition of Leonard Ravarie and others, presented to the Legislature during the last Session; praying for an aid to construct a Bridge over the River Delisle, in the Parish of St. Ignace du Côteau du Lac, in the County of Vaudreuil.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Macdonell of Dundas, seconded by Mr. M'Connell,

Address,

Williamsburg
Canal Bridge.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will be pleased to cause to be laid before this House, copies of all Petitions, Papers, and Documents, addressed to the Board of Works, from any Inhabitant of Inhabitants of the County of Dundas, relative to a Bridge across the Williamsburg Canal, in front of the Village of Maria-Town; as also, of all Petitions addressed to the Head of the Government, on the same subject.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Macdonell of Dundas, seconded by Mr. M'Connell,

Address,

James Coons,
&c.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will cause to be laid before this House, copies of any Petitions, Letters, and Addresses, from James Coons, of Matilda, or on his behalf, to the Executive Government and the Board of Works, relative to his claims for damages, under the Canal Act, and the replies, (if any) thereto; and of all correspondence on the same subject, from Mr. William Freeland, with the Government or the Board of Works; and also, that he will be pleased to cause to be laid before this House, copies of all Letters and Instructions from the Crown Officers, the Executive Government, or the Board of Works, or any of its Officers, to Mr. Freeland on this subject; and also, information relative to the appointment of Mr. Freeland, its date, the exact nature of his duties, the amount of his salary, how and from what fund paid.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Laterrière, seconded by Mr. Taché,

Saguenay
Territory.

Resolved, That this House will, on Wednesday next, resolve itself into a Committee of the whole House, to take into consideration the means of facilitating the settlement of the Saguenay Territory.

Résolu, - Comme l'opinion de ce comité, que l'acte de la 4ème et 5ème années de la Reine Victoria, ch. 100, ne contient aucune disposition pour autoriser le gouvernement à vendre la coupe des bois sur les terres de la couronne en cette province.

Résolu, - Comme l'opinion de ce comité, que la vente des bois sur les terres non occupées de la couronne, et le privilège de construire des écluses et moulins sur les différentes rivières qui traversent ces terres, en faveur de capitalistes, établissent de fait un monopole exclusif, préjudiciable à des établissemens agricoles permanens sur ces terres d'une manière contraire à l'intention de l'acte sur-mentionné.

Résolu, - Comme l'opinion de ce ... comité, que le gouvernement, en faisant ce commerce ouvre la porte à bien des fraudes, à des déprédations ruineuses pour l'avenir commercial de cette province.

Résolu, - Comme l'opinion de ce comité, que le département du commissaire des terres de la couronne, y compris ses nombreux agens, tout en absorbant en grande partie le revenu de ce commerce en frais d'administration, (quand bien même la loi autoriserait à vendre aussi le bois sur les terres de la couronne) ne peut point arrêter ni maîtriser des déprédations qui se font avec l'apparence de son consentement.

Résolu, - Comme l'opinion de ce comité, que ce commerce immoral tient dans un état de servage et de dette la plupart de ceux qui s'engagent comme bûcherons dans ces chantiers pour gagner de l'argent à ce genre d'industrie; que ce commerce rend ces hommes, par l'habitude et le goût qu'ils contractent en menant une vie errante, impropres à l'ouverture des terres et à l'agriculture.

Résolu, - Comme l'opinion de ce comité, que trois ans après la pas-sation des présentes résolutions, il ne sera plus permis à qui que ce soit de couper des bois, soit de sciage ou autrement sur les terres non vendues de la couronne, ni de construire des écluses et des moulins à scies sur les rivières qui les arrosent, à moins d'avoir acheté ces terres du gouvernement et les avoir payées.

Résolu, - Comme l'opinion de ce comité, que l'argent que le gouvernement recevra de la vente des bois sur les terres de la couronne, jusqu'à ce que les présentes résolutions aient force de loi, appartiendra et sera dépensé à l'ouverture et à l'amélioration des grandes communications dans chaque localité où ce bois aura été pris et vendu.⁵⁵

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*On motion of the Honourable Mr. Laterrière, seconded by Mr. Taché,
Sale of Public Timber. Resolved, That this House will, on Wednesday next, resolve itself into a Committee of the whole House, to consider whether it would not be expedient to prevent the sale of Timber from off the Public Lands.*

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. Robinson,

Jews' Relief Bill. Ordered, That the Bill to amend the Act of Lower Canada, therein mentioned, extending certain privileges to persons of the Jewish persuasion, be committed to a Committee of the whole House, to-morrow.

Printed.

Ordered, That two hundred and fifty copies of the Petition of His Grace, the Archbishop of Quebec; the Right Reverend the Catholic Bishop of Montreal, and other Catholic Bishops, the coadjutors of the Dioceses of Quebec and Montreal, be printed for the use of the Members of this House.

Bracery Bill.

Ordered, That Mr. Macdonell of Dundas, have leave to bring in a Bill to prevent the bringing of Penal Actions in Upper Canada, on the English Bill of Bracery and buying of Titles.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time, on Thursday next.

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Printed.

Ordered, That the Return to the Address of this House to His Excellency the Governor General, relating to the Crown Timber Office at Bytown, be printed for the use of the Members of this House.

Petition of
William Rees,
referred.

Resolved, That the Petition of William Rees, late Medical Superintendent of the Provincial Lunatic Asylum, at Toronto, be referred to a Select Committee, composed of the Honourable Mr. Robinson, Mr. Taché, Mr. Macdonell of Dundas, Mr. Christie, and Mr. Boulton, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

MR. ROBINSON⁵⁶ moved that an humble Address be presented to Her Majesty, praying that in case any change is made in the law regulating the admission of foreign grain into England, due regard may be had to the interests of her subjects in Canada. He stated his intention was to obtain an Address to go home by the next mail.⁵⁷ ((He)) desired to call the attention of the House to a matter of much importance to the country - he alluded to the great changes now about being made in England respecting the admission of foreign grain into the English markets.⁵⁸ His desire was not to impede the action of Her Majesty's Government, but to obtain such a protection for Canada as would equalise the freight between Montreal and New York, without which, he was afraid, that for the next few years Canada would not be able to compete with her Atlantic rival. He was aware that resolutions on the subject were before the House from the hon. member from Lincoln, and the hon. member for Durham, but their discussion was put off till Thursday, and, consequently, any action on them would be too late for the Mail which went on Wednesday. He felt that the House should have moved sooner in this matter; but, for his part, he was of opinion the question would have been finally settled long before this. This, it now appeared, was not the case, from its being retarded by other important business before the Imperial Legislature. He thought, from the general terms of his motion, the sentiments of both sets of resolutions now before the House might be embodied in an address, and passed to-morrow, in time for the Mail on Wednesday, and trusted no objection would be made to the course he was pursuing, as he could not, by any motion, now bring the other resolution be-

fore the House before the day named.⁵⁹

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On motion of the Honourable Mr. Robinson, seconded by Mr. Macdonald of Kingston,

Address to
Her Majesty.
Wheat and
Flour.

Resolved, That an humble Address be presented to the Queen's Most Excellent Majesty; praying that in case any change is made in the Law regulating the admission of Foreign Wheat and Flour, into the British Markets, due regard may be had to the interests of Her Majesty's Subjects in this Province.

Resolved, That a Select Committee, composed of the Honourable Mr. Robinson, Mr. Williams, the Honourable Mr. Baldwin, Mr. Macdonald of Kingston, and Mr. Roblin, be appointed to prepare and report the draught of the said Address; with power to send for persons, papers, and records.

MR. GOWAN moved⁶⁰ that 250 copies of the Post Office Report be printed for the use of the members. The hon. member stated that the Report had been referred to a Select Committee, of which he was a member, and the member for Quebec the Chairman; Mr. Aylwin had taken the Report away from the Committee, as he said, to make a synopsis of it, and from that day to this, the Report had not been seen, nor had a meeting of the Committee been called since.⁶¹

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Printed,

Ordered, That two hundred and fifty copies of the Report of the Commissioners appointed to enquire into the general system and management of the Post Office Department, be printed for the use of the members of this House.

On motion of Mr. Hale, seconded by Mr. M'Connell,

Agricultural
Societies Bill,
(L. C.)

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act to amend the Act for the encouragement of Agriculture by the establishment of Agricultural Societies in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, line 38.--Leave out the words "to fifty pounds currency."
Leave out the Ryder.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Hale do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Administra-
tion of Crimi-
nal Justice,
(U. C.)

Mr. Petrie, from the Committee of the whole House, to take into consideration certain proposed Resolutions, having for their object the charging upon the Consolidated Revenue, the administration of Criminal Justice

in Upper Canada, reported, according to Order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:--

- Resolutions.
1. Resolved, As the opinion of this Committee; that the Expenses of the Administration of Criminal Justice in Upper Canada, heretofore paid by local Taxation, should be defrayed out of the Consolidate Revenue, in the manner following:--
 One-third during the year 1846.
 Two-thirds during the year 1847, and
 Thenceforth the whole charge.
 2. Resolved, As the opinion of this Committee, that the following heads of expense shall be considered as embraced within the words, "Administration of Criminal Justice," viz:--

CLERK OF THE PEACE.

Furnishing annually, Lists of Constables
 to the Sheriff and Coroner

For making up Lists, pursuant to the Statute 4 and 5 Victoria, chap. 3, sec. 32, of persons qualified by law to serve as Jurors, residing within the limits of each Division Court, specifying the place of residence and addition of each person, including the certificate, and the transmission of the list to the Clerk of each Division Court. . .

Copies of Depositions or Examinations furnished to Prisoner, or Defendants, or their Counsel, when proper to be furnished, and required by the party or his Counsel,--4 and 5 Vict. chap. 24, sec. 12, and sec. 23

(To be paid by the Crown, or by the party applying, according to the nature of the case.)

Receiving and filing each Presentment of the Grand Jury

Arraigning each Prisoner or Defendant indicted, and recording plea

Empaneling and swearing the Jury in every case, whether Criminal or otherwise, where, by law a trial by Jury is to be had at the Quarter Sessions, and where no fee is fixed by Statute

Swearing each Witness for the prosecution, upon any trial by a Jury, or to go before the Grand Jury

Filing each Exhibit upon a trial

Charging the Jury, with the Prisoner or Defendant, upon each Indictment

To be paid by the Crown,
 or by the party,

Receiving and Recording each verdict of
a Jury, in any case of trial by Jury .
Recording each Judgment or Sentence of
the Court, upon verdict or confes-
sion

... as the case may be.

Making out and delivering to the Sheriff a
Calendar of the Sentences at each
Court

Certified Copy of Sentences sent with the
Prisoner to the Penitentiary, after
each Session

Making up Record of Conviction or Acquit-
tal, in any case where it may be nec-
essary

(To be paid by the Crown, or by the
party, as the case may be.)

Discharging any Prisoner by Proclama-
tion

Drawing out and taking each Recognizance
to appear, either of Prosecutor,
Defendant, or Witness

Calling parties on their Recognizance,
and recording their non-appearance . .

Making out Lists of forfeited Recogni-
zances and Fines to submit to the Jus-
tices after each Quarter Sessions, in
order to their being estreated

Entering any Order of Sessions to remit
an estreat, and recording an entry of
the same

(To be paid by the Crown, or by the
party relieved, as the Justices
may order.)

Drawing Order of the Justices to estreat and
put in process

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Entering and extracting upon a roll, in
duplicate, the Fines, Issues, Amer-
cements and forfeited Recognizances,
recorded in each Session, making oath
to the same, and transmitting it to the
Sheriff

Making out and delivering to the Sheriff
the Writ of fieri facias and capias
thereon

Making out and certifying copy of Roll and
Return of the Sheriff, and transmitting
it to the Receiver General

Making up Book of Orders of Sessions, de-
claring the limits of the Division

Courts, and entering the times and places
of holding the Courts
Making out and transmitting a copy thereof to
the Government
Making out and transmitting copies (with letter)
to the Clerk of each Division Court, of the
Divisions made by the Quarter Sessions. . . .
Drawing Orders of Sessions for altering the limits
of Division Courts
Making out and transmitting copies of such Orders
to the Government
Making out and transmitting copies of such Orders
to each Division Court affected by the al-
teration
For each Copy of Schedule of the Division Courts,
with the Order of Session for publication .
Swearing each party to an Affidavit, where no
charge is elsewhere provided for it
(To be paid by the Crown, or by the party
for whom the affidavit is sworn, accord-
ing to the nature of the case.)

SHERIFF.

Notice of appointment to the Associate Justices
of Oyer and Terminer
Attending the Assizes
Attending the Quarter Sessions
Summoning each Grand Jury for the Assizes or
Quarter Sessions
Summoning each Petit Jury for the Assizes or
Quarter Sessions
For every Prisoner discharged from Gaol, having
been committed by Warrant for trial at the
Assizes or Quarter Sessions, or Mayor's
Court
Bringing up each Prisoner for arraignment, trial,
and sentence, whether convicted or ac-
quitted
Drawing Calendar of Prisoners for Trial at the
Assizes, including copies
Drawing Calendar of Prisoners for Trial at the
Quarter Sessions, including copies
Advertizing the holding the Assizes or Quarter
Sessions
Every Annual or General Return required by law,
or by the Government, respecting the Gaol
or the Prisoners therein
Every other Return made to the Government or to
the Sessions, required by Statute or by
order of the Court
Returning Precept to the Assizes or Sessions. .

Conveying Prisoners to the Penitentiary, or to
 another District, and disbursements
 Arrest of each individual upon a Warrant
 Serving Subpoena for the Crown upon each
 person
 Conveying Prisoners on Attachment or Habeas
Corpus to another District, and disburse-
 ments
 Making Return upon Attachment or Writ of Habeas
Corpus
 Levying Fines or Issues on Recognizances estreated,
 and mileage
 (To be levied according to 8 Vict. chap.
 38, sec. 2.)
 Carrying into execution the Sentence of the Court
 in capital cases
 Attending and superintending the Execution in
 such cases
 Summoning each Constable to attend the Assizes or
 Sessions
 Every notice to a Magistrate, under the Statute,
 8 Vict. ch. 14, sec. 6, and mileage
 Keeping a Record of Jurors who have served each
 Court
 All disbursements actually and necessarily made
 in guarding Prisoners, or in their convey-
 ance to the Penitentiary, to any other Dis-
 trict or elsewhere, or for other purposes in
 the discharge of the duties of the office,
 (when not provided for by law, nor hereinbe-
 fore specifically,)--to be allowed by the Jus-
 tices in Sessions

To be paid by the Crown,
 or by the party, as
 the case may be.

CORONER.

Precept to summon Jury
 Empanelling a Jury
 Summons for Witnesses
 Information or Examination of each Witness
 Taking every Recognizance
 Necessary travel to take an inquest
 Taking Inquisition and making Return
 Every Warrant

CONSTABLE.

Arrest of each individual upon a Warrant
 (To be paid by the Crown, or by the party,
 as the case may be.)
 Serving Summons or Subpoena
 Mileage

(To be paid by the Crown, or by the party,
as the case may be.)

Attending Assizes or Sessions

Attending any Justice on the examination of Prisoners charged with any crime

Mileage in going to serve Summons or Warrant when the service has not been effected; the Justices in Session to be satisfied that due diligence has been used

Taking Prisoners to Gaol,--and disbursements necessarily expended in their conveyance

Summoning Jury for Inquest

Attending Inquest for each day, other than the first

Serving notice of appointment of Constables, when personally served

To be paid by the Crown,
or by the party, as
the case may be.

CRIER.

Making Proclamation for opening or adjourning the Court of Assize and Nisi Prius, Oyer and Terminer and General Gaol delivery and Quarter Sessions

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Making every other Proclamation

Calling and Swearing Grand Jury

Calling and Swearing every Petit Jury

Calling and Swearing every Witness or Constable

Attending Assizes and Quarter Sessions

The maintenance of Prisoners confined upon criminal charges

A proportion of the Salary of the Gaoler of each District Gaol, and of the payment of Turnkeys

Medicines, Fuel and other similar necessaries for the Gaol, and the Prisoners confined on criminal charges

Disbursements in transporting Prisoners to the Penitentiary, and for carrying other sentences into effect

Disbursements in transporting Prisoners to the Penitentiary, and for carrying other sentences into effect

3. Resolved, As the opinion of this Committee, that the amount of such expenses shall be examined, audited, vouched and approved, under such regulations as the Governor in Council shall from time to time in that behalf direct and appoint.⁶²

MR. INSP. GEN. CAYLEY fit motion que le rapport du comité de toute la chambre sur les dépenses de l'administration de la justice dans le Haut Canada, fût alors reçu.⁶³

DR. TACHE first addressed the House in French⁶⁴. Monsieur l'orateur, l'heure avancée à laquelle se sont terminés les débats en comité général ne

m'ayant pas permis de faire les observations que je me proposais de faire en réponse aux discours des honorables membres de l'autre côté de la chambre, je prends maintenant l'occasion de le faire; et, en ce faisant, je suivrai la marche de ceux qui m'ont précédé, en donnant à mes observations plus d'étendue que le sujet ne semble d'abord devoir le permettre; mais qui, après réflexion, me paraît (sic) justifiable sinon indispensable.

La scène offerte par le lord Sydenham, lorsqu'il présenta le million et demie (sic) à la rapacité de ceux qui avaient soif d'or et de pouvoir ne devait pas, à ce qu'il paraît, être la dernière; elle devait être suivie, cinq ans après, de celle qui nous est présentée cette année, quoique sur une petite échelle, mais toujours avec cette différence que dans la scène de 1841 aucun canadien-français ne trempa dans l'iniquité, tandis que dans celle d'aujourd'hui nous voyons trois hommes de notre origine la sanctionner et de leurs discours et de leur présence dans le ministère. Mais il n'y a rien en cela d'étonnant, c'est le fruit de l'union, dame machiavélique, dont le dénouement doit être l'expropriation volontaire ou forcée de tous les canadiens au delà des montagnes rocheuses, ou vers quelque partie de ces régions arctiques, inhospitalières et inconnues jusqu'ici à la civilisation. Tout a été prévu et calculé dans ce plan diabolique. Le Haut-Canada, bien qu'un grand tiers moins peuplé que le Bas-Canada, a obtenu d'abord la moitié de la représentation. Le Haut-Canada était sans crédit, ruiné et en banqueroute, ses travaux publics inachevés. L'union lui a donné du crédit, de la considération, et l'a mis en état de contracter de nouvelles dettes. Un million et demi est de nouveau emprunté, et alors ses canaux s'ouvrent à l'océan, ses rivières sont rendues navigables, ses ports se creusent et s'améliorent; des sommes énormes sont employées pour pratiquer des chemins dans toutes les directions. Et pendant ce temps que faisait-on pour le Bas-Canada? Le Bas-Canada était devenu solidaire et de la vieille dette et du nouvel emprunt. Du million et de demi dépensé en améliorations, un tiers seulement devait être employé dans ses limites, et encore comment? Parce que les ouvrages projetés (sic) au moyen de ce tiers étaient destinés à profiter à la partie choyée et favorisée de la population. Mais pour ce qui regarde le Bas-Canada purement français, la côte du sud, par exemple, au-dessous de Québec, contenant une population de cent mille habitants, a-t-on voté un seul sou? Non, pas un denier. Je fais allusion aux comtés de Docrhester (sic), de Bellechasse, de l'Islet, de Kamouraska et de Rimouski, tandis que le plus petit comté, la plus mince localité dans la Haut-Canada recevait de fortes sommes pour ses améliorations intérieures. Comment les chemins publics sont-ils faits dans le Haut-Canada? Au moyen de l'argent public; et dans le Bas-Canada? Aux dépens du travail et des sueurs de ses habitants?

Et aujourd'hui il faut encore un demi million, et pourquoi? Pour achever des travaux qui une fois faits, d'après le nouveau système du free trade, ne paieront pas les frais d'entretien, ouvrages commencés un demi siècle avant le temps, et le pays chargé de quatre millions de dettes sera déshonoré et ruiné. Mais peu importe que le pays se déshonore, en répudiant ses dettes, si les individus qui demandent la continuation de ces dépenses extravagantes et insensées s'enrichissent, car voilà le but de toutes ces demandes sans cesse renaissantes. N'est-il pas clair, est-ce que tout le monde ne voit pas que les améliorations publiques sont la dernière des choses que l'on a en vue? Le but ostensible sont les spécula-

tions, les contrats et les jobs. Et n'est-ce pas le même esprit qui a jeté les corporations de nos grandes villes dans un état de quasi-banqueroute? Les entreprises ne se font plus pour les besoins publics; mais ceux qui sont chargés de représenter le intérêts publics ordonnent des ouvrages pour enrichir les individus. Des trois millions et demi dépensés en travaux publics, pourrait-on me dire quelle proportion est tombée entre des mains canadiennes? Je puis répondre sans crainte d'être contredit: pas la millième partie! Mais on prétend que tous les revenus proviennent du Haut-Canada, et que les villes de Québec et de Montréal ne sont que ce que le Haut-Canada les a faits (sic). Québec et Montréal ne prospéraient-elles pas avant qu'il fût question des comtés de Leeds et de Peterborough; et avant même la naissance de la célèbre cité de Cornwall. Si le commerce du Haut-Canada a fait prospérer ces deux villes, le Haut-Canada a retiré en retour des avantages réciproques du marché qu'elles lui offraient. Les citoyens des états de New-York, de la Pensylvanie (sic), de l'Ohio, de l'Indiana, du Michigan, de l'Illinois et du Wisconsin, n'enrichissent-ils pas aussi le Haut-Canada par leur commerce; que seraient et que feraient tous ces immenses moulins du Haut-Canada sans les grains américains; et qui, en dernier ressort, s'ils paient jamais, entretiendra en activité les canaux si ce ne sont les citoyens des Etats-Unis? Si les américains raisonnaient à la manière de quelques spéculateurs du Haut-Canada, ne pourraient-ils pas demander, d'après leurs principes, à partager les revenus du Canada, comme y contribuant peut-être plus que qui que ce soit? Québec et Montréal placées, comme elles le sont, sur le continent américain, cette terre de la liberté et du progrès, devaient avancer; et ces villes de fait avancement et n'en ont d'obligation à personne.

Maintenant, comme je désire qu'il n'y ait pas de méprise, ni de malentendu sur ce que j'ai à adresser à un honorable membre, je vais le faire en anglais:⁶⁵ Now as I desire that there may be no mistake or misunderstanding on the subject which I wish to address more particularly to one hon. member, I will do so in English; to the frequent requests of the hon. member for Peterborough to explain and to shew him by whom and how the Provincial chest is annually furnished. I reply: the greatest part by duties imposed upon British manufactures imported into the country, and by various other duties, taxes and licenses imposed by the Provincial Legislature; and I further say to him, that the inhabitants of the country cannot pay and make use of these taxed goods and pay the other taxes and licenses to which I have alluded, but in proportion as their industry and the produce of the soil enables them to do. The question then is to know if Lower Canada, in proportion to its population, furnishes its share of exportations, and if the produce of its agriculture and of its industry is equal to that of Upper Canada? As the hon. member for Peterborough has on all occasions, shewn himself the corypheus of the pretensions the most exorbitant on the part of the members from Upper Canada, I am anxious to throw down the gauntlet, and trust he will take it up. Now I am ready to prove to him that the county he represents does not export more than mine; that the agricultural produce in his county (regard being had to the population) is not greater than the agricultural produce of the county I represent. That he, in his family, does not consume or use a greater quantity of British manufactures, upon which duty is paid, than I make use of in my own family. I am ready with the census in my hand to shew him that there are as many horses, oxen and cows, pigs and

other domestic animals in my county as in his. I am ready whenever he wishes it, to prove to him that in the houses of Canadians in the rural Districts, if we have not always as many articles of luxury as in the same class in Upper Canada, we have a great number of useful articles which are all more or less of British manufacture, and which have paid duty and have consequently contributed to the revenues of the country; and further, that there is a far far greater consumption of liquors, especially wines and rums upon which heavy duties are paid, in Lower than in Upper Canada, and that in this respect Lower Canada contributes more to the revenue than Upper Canada. I will also tell the hon. member for Peterborough, that I am ready to name appraisers to establish what I have advanced, and that I am ready to give security by which I will be bound to pay all the expenses of such an appraisalment, if the hon. member will deny the positions I have taken and leave the matter to arbitrators and appraisers; and in which case I presume the hon. member is quite ready to do what I offer to do myself. The hon. member is offered (in a manner which ought to be satisfactory to him) an opportunity of proving that great superiority of Upper over Lower Canada, in which he has the very bad taste so often to boast of. This much for the counties ((of)) L'Islet and Peterborough. Now, sir, I am certain that there is not a single member representing a county of Lower Canada who is not disposed to do as much as I have done, towards the representative of any county in Upper Canada (regarding being had to their respective populations.) With the gravest face and the most assured tone; the hon. member from Peterborough has said "who loads your fifteen or sixteen hundred ships which annually find their way up the St. Lawrence if it is not the inhabitants of Upper Canada?" In answer I will ask that hon. member to name four counties in Upper Canada which furnished cargoes in 1845 for more than one hundred and eighty ships, of the value of £140,000. The counties of Bonaventure, Gaspé, Rimouski, aye that out of the world Rimouski and Saguenay, can show this, not from calculations of my own, but from official returns, which can be produced at any time.⁶⁶ On a calculé les sommes votées pour les besoins annuels des deux provinces, et l'on trouve que le Bas-Canada reçoit plus que le Haut-Canada; mais a-t-on oublié que le Bas-Canada est un tiers plus peuplé que le Haut-Canada, et que conséquemment il doit avoir un tiers plus de besoins? Et le million et demi formant la dette du Haut-Canada, dont on prend l'intérêt sur les fonds consolidés n'est-il donc rien; million et demi employé pour de folles spéculations, en canaux et pour des chemins et des besoins locaux, on oublie aussi cela sans doute. Cependant l'intérêt sur cette somme se monte au modeste chiffre de quatre-vingt dix milles louis par année. Et les trois quarts de l'autre million et demi, disons maintenant deux millions, puisqu'il y a un déficit de cinq cent mille louis, employés dans le Haut-Canada ne sont-ils rien; et les habitants du Bas-Canada n'ont-ils dont (sic) aucun droit à une compensation? L'intérêt annuel sur cette dernière somme est de £120,000, et le Haut-Canada profitant des trois quarts de cet intérêt, jouit de fait d'une autre somme annuelle de £90,000, formant en tout £180,000, somme énorme dont le gigantesque capital a été empoché jusqu'au dernier sou par les habitants du Haut-Canada sous la forme de contracts (sic) et de jobs de mille espèces. Et d'après des faits aussi frappants, aussi palpables, on parle de justice pour le Haut-Canada! Mais la

chose est épouvantable; on nous dépouille de tous nos revenus, on nous endette de millions dont nous ne devons jamais retirer aucun profit, que nous ne pourrions jamais payer, en ajoutant l'insulte et l'ironie, prétendant que tout cela est pour nous enrichir.

Enfin la question de la dépense pour l'administration de la justice, cette pomme de discorde, va enfin être réglée; et comme on devait s'y attendre, c'est-à-dire, que la partie du pays, d'après le nouvel arrangement, qui ne contient que les deux tiers de la population, recevra un tiers de plus que la partie du pays qui est comme 7 à 5. Et comment pouvait-il en être autrement, l'acte d'union n'a-t-il pas posé cette base, ces proportions en principe, que tous les privilèges et avantages dont jouiraient les habitants du pays seraient, sous la nouvelle constitution, en raison inverse de leur nombre et de leur importance; que le petit nombre devait avoir les avantages du grand, que le riche serait dépouillé et le pauvre revêtu? Voici comment: d'après un relevé de l'appendice des derniers journaux, je trouve que les frais de l'administration de la justice, pour le Bas-Canada, se montent, à peu près, à la somme de £26,000, et que la somme tirée du fonds consolidé pour la même fin pour le Haut-Canada, à £12,000. Maintenant l'on propose d'ajouter à cette somme de £12,000, une autre somme de £18,000; qu'elle soit payée en un, deux ou trois ans, peu importe, elle donnera toujours un chiffre de £30,000. Ainsi vous puiserez de la caisse publique, pour l'administration de la justice dans le Haut-Canada, une somme de £30,000 pour 500,000 justiciables, et £26,000 seulement pour 700,000 dans le Bas-Canada. N'est-ce donc pas encore l'occasion de dire que cette injuste répartition se fait dans l'esprit qui a dicté l'acte d'union, et qui a réparti l'emprunt de 1841. D'après ce nouvel arrangement, il sera dépensé pour les habitants du Haut-Canada, pour porter la justice à la porte de chacun d'eux, 1s. 2½d. par tête, tandis que dans le Bas-Canada, eu (sic) égard au nombre des justiciables, on ne recevra que 8 ¾ d. par tête. Aussi le Haut Canada, aura l'avantage de posséder 22 districts judiciaires, tandis que le Bas-Canada n'en aura que 5. Et d'après ce calcul, et en mettant de côté toutes les iniquités accumulés (sic) sur le Bas-Canada avant cette session, et en n'envisageant que la simple question des frais de l'administration de la justice dans les deux sections de la province, eu (sic) égard à leur population respective, le Bas-Canada aurait droit de toucher £42,000, c'est-à-dire £16,000 plus qu'il ne touche maintenant pour cet objet, ce dont il aurait un grand besoin pour augmenter le nombre de ses districts judiciaires. Je sens, M. l'orateur, que je n'ai pas rendu justice à mon sujet, je me flatte néanmoins que quelqu'honorable membre, plus versé que moi en matière de finances et de la législation feront (sic) ressortir bien d'avantage, et sous un point de vue beaucoup plus lumineux les injustices pratiquées journellement envers le Bas-Canada; je remplis aujourd'hui un devoir consciencieux et je m'acquitte de la tâche que m'impose, au meilleur de ma capacité, ma qualité de représentant du peuple.⁶⁷

MR. HALL⁶⁸ would not have risen on this occasion, if it had not been that he heard his name mentioned by the hon. member who had just taken his seat, and who appeared to give him a challenge.⁶⁹ No doubt the hon. gentleman had taken some time to get up the statement he had just made, and, of course, it could not be expected that he (Mr. Hall) would be prepared

to answer them upon the spur of the moment,⁷⁰ but⁷¹ he would however say this at once, that the hon. member could make no challenge upon which they could meet on equal terms, which he would not be ready to take up.⁷² If the hon. gentleman would make the slightest statement as to the population and exports of his county, he (Mr. H.) would take him up at once, and he would tell him that although his county had not been settled more than twenty-five years,⁷³ yet it, and the adjoining one, would next year lose £100,000 by Sir Robert Peel's financial measures⁷⁴, on wheat and timber alone. If the hon. member could say as much for his county or the next to it, he would conclude at once.⁷⁵ The hon. member for L'Islet had also accused him of being too much inclined to praise Upper Canada at the expense of Lower Canada⁷⁶ ((and)) with praising his county in bad taste.⁷⁷ He thought he was not justly open to that accusation⁷⁸.

DR. TACHE begged leave to correct the hon. gentleman. What he had said was that, the hon. member for Peterborough was foremost among those who boasted of the superiority of U. Canada.⁷⁹

MR. HALL misunderstood the hon. member, but he would tell him that he did not come down to Montreal in order to hear his section of the Province reviled, (hear, hear,) and as long as it was in his power to speak he would⁸⁰ certainly ... be always ready to say something in defence and in praise of the people who sent him to that House, and when he had, on coming down there for the first time, heard the leader of the opposition⁸¹, the hon. member for Terrebonne⁸², say that Upper Canada was bankrupt, he felt surprised, because he had never heard it before⁸³. That was something new to him, and he waited to see if it would be taken up by any one else, and to his surprise it was repeated constantly by hon. members on the other side of the House. In every speech on whatever subject he was sure to hear it reiterated⁸⁴ and he felt bound to ascertain whether the statement was correct or not. He had done so, and had brought down the facts upon which he relied to prove the incorrectness of that statement, and he must be allowed to say that then was the time for such a challenge as had just been given.⁸⁵ With respect to the figures brought forward by the hon. member for L'Islet, he had no doubt they would be taken up by some one on his side of the House who was prepared to answer them.⁸⁶ He would not go into the question of the public works, further than to⁸⁷ tell that hon. member that if he denied that the expenditure on the public works in U. Canada did not benefit L. Canada, it would be just as well for him to go to N. York⁸⁸ or Boston and to tell the people there that the Erie and Oswego Canals⁸⁹ on which they had spent millions of dollars ... ((were)) for the benefit of the counties through which ... ((they)) passed, and that the city derived no benefit from ... ((them)).⁹⁰ He would be thought a fool: every one would be ready to tell him that the greatness of those Cities was due to the immense business caused by their Canals.⁹¹ He might as well tell the inhabitants of Boston, that Albany alone benefitted by another of their great works which terminated there; that answer would be given to him if he made such an assertion. "Property in this city has risen \$800,000 in value in consequence of that work," and he imagined that the same rule would apply to Montreal and Quebec, and that they had increased in a relative proportion by the U. Canada trade.⁹² He recollected

one City in the United States that had been built up from 1000 inhabitants to 16,000 in a very short time by the passage through it of produce, and he would like to know whether the great increase in the prosperity of Montreal had not occurred since Upper Canada had become a great exporting Country. - He would like to know what would become of the trade of Lower Canada if the Ocean was found along the frontier. As it was, he could mention many firms whose branches in Upper Canada, had done more trade than those in Montreal since the commencement of the draw back system⁹³. But if the U. Canadians imported nothing, and exported nothing if their trade was of no importance, how was it that the merchants of these cities are so fearful of the trade being carried away from the St. Lawrence by Oswego and Buffalo, and will not allow a pair of boots or shoes even to be imported into the Province except by this route.⁹⁴ And he could tell the House that unless the trade were drawn down through the Canals of the St. Lawrence no power on earth could prevent it going by the nearest route to Montreal, and it would then be seen whether he was or was not correct.⁹⁵ If the Canals proved a failure the U. Canadians would show what they could do, and it would then be seen whether there were £400,000 or £100,000 of a revenue.⁹⁶

MR. INSP. GEN. CAYLEY said, that he trusted that some allowance would be made by the hon. member for L'Islet, if his imperfect knowledge of the French language had led him to overlook some of the arguments brought forward by his hon. friend and with this explanation he would now proceed to answer some of his statements. The first thing that gentleman had said was that the Union had been forced upon Lower to relieve Upper Canada from a state of Bankruptcy; now he believed that Upper Canada had as much right to complain that the Union was forced upon her as Lower Canada had;⁹⁷ the Union had been equally unpalatable (sic) to ((both))⁹⁸; and he took it that the difference between the two sections of the Province was just this: Upper Canada was in the position of a man who has laid out his capital in the purchase of machinery or materials for carrying on a highly remunerative business, but who feels himself crippled for the moment for want of funds, while Lower Canada was like a man who was rich by inheritance, and whose property was more calculated to support him in a state of comfort, than to add to his wealth; who held the keys, kept guard on the road that led to wealth and took toll from those that used it. Upper Canada was not bankrupt unless it was to be bankrupt, to have within herself the means of acquiring enormous wealth. He contended that the great works of the Province were no less advantageous to Lower Canada than to Upper Canada,⁹⁹ that every improvement made in the upper part of the Province benefited the lower part. They were like numerous small tributary streams which tend to swell the main channel.¹⁰⁰ And in support of this assertion, and in reply to what had fallen from the hon. member for L'Islet, to the effect that the Union had given life to the Lake shipping of Upper Canada and business to her ports, he would read a statement of the revenues of the harbour of Montreal since 1832.

The hon. member then read the following table:--

1832	£1,116	12	11
1833	1,936	9	9
1834	1,152	9	8
1835	1,153	6	0

1836	1,552	11	10
1837	1,393	1	2
1838	1,330	3	8
1839	2,121	8	9
1840	2,729	17	4
1841	9,681	2	11
1842	9,840	12	11
1843	7,401	14	3
1844	10,384	16	1
1845	11,244	9	8

So that if Upper Canada had been benefitted, Lower Canada had at least had her fair share of the advantages. Then, again, the gross amount of customs collected in 1840 at the ports of Quebec and Montreal were only £154,115 4s., while the same source of revenue in 1845 were £297,190, still showing the greatly increased trade of Lower Canada. He was aware that he should be told that the great works of the Province had been jobs, undertaken for party purposes; but, for his own part, he considered every improvement of the navigation of the main line had been a Provincial improvement. The improvement had taken place in the Upper Province it was true, but those improvements had had the effect of the numerous petty rills which winding unnoticed down the sides of their native hills and wandering through the plains, at last fall into that stream to which, from the first their course was directed, swelling its volume and augmenting its force, till it attains the magnificence of a vast river capable of bearing on its bosom the navies, and the commerce of the world. Every improvement above, added necessarily to the riches of the country below, but it must be remembered to resume his figure, that the streams which fall into the lower part of a river have no effect at all upon the upper part which lies nearer the source.¹⁰¹ The whole amount of debt incurred by the carrying out of the public improvements of the country, amounted to upwards of £3,000,000. Of this, he considered the whole of the expenditure upon the main line to be on the joint account that part of the cost amounted to a sum of £2,355,593 1s 7d. Of the remainder, had been expended in Upper Canada £750,468 8s 5d., and in Lower Canada £320,627 15s 7d, showing a difference of £429,840 12s. 10d expended in Upper Canada over that laid out in the lower part of the Province. Looking at the other side of the account, however, it would be found that Upper Canada had contributed to the public purse 2,160,605 acres at 7s. 6d. per acre, making a total of £840,244, Lower Canada had contributed 3,907,000 acres at 3s per acre. producing £586,050, leaving a balance of value contributed by Upper Canada, amounting to £224,194. To this must be added the expenditure for the administration of justice for 4 years in Lower Canada, above the amount taken from the funds for similar purposes in Upper Canada amounting to £91,948, and he would beg leave to take credit for the good intentions of the Administration, who besides having given £7000 to the sufferers at Quebec, had already come down to the House and recommended a loan of £100,000, to be applied in the same manner.¹⁰²

MR. AYLWIN!¹⁰³ This is a loan is it not!¹⁰⁴

MR. INSP. GEN. CAYLEY ((resumed:)) Yes, a loan, no doubt, just as all

the money spent upon the canals was loaned; the grant would stand precisely on the same ground. Besides this, he had again to call attention to the good intentions of the Government, who had appropriated a further sum of £10,000 for Light Houses in the Gulph (sic) of St. Lawrence. These five items added together would exhibit a set off to £442,142 against the previous charge of £429,840 12s 10d for the local purposes in Upper Canada, leaving a balance against Lower Canada of £12,301 7s 1d.

To turn to the subject immediately before the House. He thought the hon. member for L'Islet was mistaken in his calculation as to the administration of justice in the two sections of the Province. From the return which had been prepared, in answer to an address from the House, it would appear that the charges for the administration of justice in the two portions of the Province was (sic) as follows, viz:¹⁰⁵

Canada East.				Canada West.			
1842	£46,508	19	3	£18,136	17	8	¹⁰⁶
1843	32,135	2	5 ¹⁰⁷	14,874	3	6	¹⁰⁸
1844	39,351	0	7	17,210	17	0	¹⁰⁹
1845	39,443	6	11	15,254	14	0	
<hr/>				<hr/>			
	£157,438	9	0 ¹¹⁰		£65,489	12	11 ¹¹¹
<hr/>				<hr/>			
				Balance, £91,948 16 0			

Giving an average excess of £22,987 4s.¹¹²

From the returns furnished by the different districts he had ascertained that the amount of expenses for the Administration of Justice, now charged upon the local resources of Upper Canada, which he proposed to defray from the provincial chest amounted to £17,231. - So that the £6,000 which he proposed to charge on the Provincial revenue for the first year as one third of the whole, would leave some margin for any increase that might occur.

He had not yet mentioned the substantial advantages which had accrued to Lower Canada. These were the excess of school allowance granted to Lower Canada, as compared to the upper section of the

Province, amounting to	£10000	0	0
The Jesuits' Estates, devoted to educational purposes	6000	0	0
<hr/>			
	£16000	0	0

Then there were the advantages derived from the Seat of Civil Government, and the place of meeting of the Legislature being established in the Lower section of the Province, the first of which caused an annual expenditure of £33,000 and the last of £47,000. In addition to these benefits which Lower Canada obtained from her connection with the upper part of the Province, he would mention the charges upon goods passing through Montreal, which went into the pockets of the inhabitants.¹¹³ These, taking the returns of 1845, were, as he estimated them, 9d. per barrel on 580,766 barrels of

flour	£21778	0	0
3s. 6d. per barrel on 7,550 barls (sic)			
of beef and pork	1321	0	0
4s. per barrel, averaging 5 cwt. on			
33,078 barrels ashes	6675	0	0
3s. per bushel on 436,780 bushels of			
wheat, including 1s. 6d. per 100			
minots of Harbour charges	5759	0	0
	£35473	0	0
Estimated increase for 1846	15000	0	0
	£50473	0	0

He came now to the export trade of Upper Canada, which had been truly stated by the hon. member for L'Islet to be the fair index of a country's prosperity, and he would show, as well as the defective information he possessed enabled him to do so, the proportion of exports contributed by each part of the country. Perhaps his successor would have more correct data on which to found his calculations; the tables from which he would read had, however, been furnished by one of the first mercantile houses in the city, and would give an approximation, at least, to the fact.

From the statement, it appeared that the receipts of Ashes at Montreal, by the Lachine Canal and the river, amounted to 33,078 brls, the whole amount of exports from Montreal and Quebec, being only 33,112 barrels, showing 44 barrels as the quantity contributed by Lower Canada. Of flour, 580,766 barrels had been imported by the Lachine Canal and the river, and 443,518 barrels exported. Of wheat, 436,780 bushels had been imported, and but 401,045 bushels exported. In barley, Lower Canada had the advantage. 3985 bushels had been imported by the Lachine Canal and the river, and 27,517 bushels had been exported. The same thing was true of oats, 7,277 bushels only had been imported, while the exports amounted to 53,531 bushels. The same thing happened again with peas, 29,525 minots were imported, and no less than 217,047 minots were exported. Having then reduced the balance against Upper Canada to £49,103,08, he thought that the advantages to which he had adverted, joined to the passenger traffic which went through the lower section of the Province, would leave a large sum in the shape of pecuniary advantage arising to Lower Canada from her connection with the upper part of the Province.¹¹⁴

Ironical cheers from MR. AYLWIN.¹¹⁵

MR. INSP. GEN. CAYLEY: He had felt sure that he should receive the cheerful support of his hon. friend from Quebec, when he came to the result. He knew the effect and power of that honble. gentleman's cry - his powers of oratory, that he could be furious as the Lion, and gentle as the lamb - that he, (Mr. Cayley,) fought with less showy weapons. Yet, if hereafter reference should ever be had to the records of the past, he was willing to gage his humble figures and calculations against all the honble. member's figures of speech. And he had now something to say which might perhaps be yet more pleasing to the House in general. It was that some of

our enterprising merchants had undertaken to lay down British goods in Montreal as cheaply as they could be laid down in New York.¹¹⁶

MR. AYLWIN: In Montreal!¹¹⁷

MR. INSP. GEN. CAYLEY ((resumed:)) Well if it could be done in Montreal he supposed it could be done in Quebec. -¹¹⁸ If our enterprising merchants will be able to accomplish this we have nothing to fear from the competition of our neighbours.¹¹⁹ The hon. gentleman then went over a calculation to show the cost of the Administration of Justice in Upper Canada in order to show the justice of his estimate of £18,000 per annum as the total cost to be transferred from the local funds of Upper Canada to the general funds of the Province.¹²⁰

MR. WILLIAMS understood the hon. member for L'Islet to state that no county in Upper Canada would, as it respects exports, bear a comparison with his county and the neighbouring county of Rimouski: as he has thrown down the gauntlet, he (Mr. W) would take it up; and state that¹²¹ within the small section of country represented by the hon. member for Peterboro' and himself 2,100,000 loads of square timber had been prepared for shipment; a sufficient quantity to load one-third of the shipping that come (sic) to Quebec, and with respect to wheat they had half a million barrels of flour waiting for exportation, the value of the whole of those articles in the English markets being not less than half a million sterling, and in bulk requiring for their export 500 ships of 400 tons each.¹²² Is there any portion of Lower Canada of the same size and population as the counties of Durham and Peterborough, that produces as much; an amount of property capable of loading 500 ships of 400 tons burthen.¹²³ He would ask whether any county in Lower Canada could produce one-third of the quantity.¹²⁴

DR. TACHE said that he thought the hon. Inspector General had forgotten some important branches of trade in which Lower Canada had an exclusive interest. Before adverting to them, however, he would say that there appeared to be a difference between his (Dr. Taché's) calculation, and that of the hon. member for Huron with regard to the expense of the Administration of Justice in the two Sections of the Province.¹²⁵ He (Dr. T.) had set down the expense in Lower Canada at £23,000, and in Upper Canada at £12,000, whereas the hon. Inspector General had made the estimate of the first at £38,000, and of the latter £15,000.¹²⁶ If he (Dr. Taché) were wrong it was not his fault since he had not had an opportunity of seeing the returns that had come down so lately as the day before, in answer to the address that he had moved for¹²⁷, ((and)) not having ... other data to proceed upon than the Journals of the House which must be in fault.¹²⁸

MR. INSP. GEN. CAYLEY explained to the hon. gentleman that it was necessary to make a classification of several different items in order to arrive at a correct estimate, and he supposed the hon. gentleman did not do so, and consequently the difference which appeared.¹²⁹

DR. TACHE continued, the hon. Inspector General had given very considerable accounts of the exports from the cities of Montreal and Quebec, but he had given no account of the export trade from the other ports in

Lower Canada¹³⁰. The branches of trade to which he had just alluded were the exportation of fish¹³¹ which forms a very good item¹³², and oil to the extent of something like £60,000 or 70,000¹³³. Then he has forgotten the timber trade of Lower Canada, which is very large at Rimouski and the Saguenay.¹³⁴ From L'Islet for instance £15,000 or £20,000 worth of deals had been exported, and from Rimouski at least ten times as much, the Saguenay Country had exported still more. Another large trade was the victualling of ships,¹³⁵ which must be taken into consideration, and which would form a very large item of export if not thus consumed¹³⁶, ((and)) which belonged almost exclusively to the inhabitants in the neighbourhood of Quebec. All these things put the inhabitants of Lower Canada in a position to purchase manufactures on which they paid taxes for the support of the Government.¹³⁷

MR. GOWAN¹³⁸ was happy to have an opportunity of taking up the gauntlet, thrown to the members from Upper Canada, by the hon. member for L'Islet (Dr. Taché). He was pleased on Friday night, when this subject was last under consideration, to hear that hon. gentleman state, that he would be prepared to-day with statistics to prove the correctness of the position he had assumed, because there was nothing pleased him (Mr. Gowan) so much, as to refer to facts and figures in a matter like the subject now under consideration. Hearing the announcement made by the hon. member on Friday, he too, Mr. (Gowan) had looked into the public accounts, and had prepared statistics, which he should lay before the House. Before entering into the argument, or examining the grounds taken by the hon. member, he would embrace the occasion of offering to that hon. gentleman his acknowledgments¹³⁹ for himself (Mr. G.) and he believed he might say for all hon. members on his side of the House,¹⁴⁰ for the courtesy he had shown in the course of his argument, and especially for having taken the trouble to prepare the statistical portion of it in a language better understood by the majority on his (Mr. Gowan's) side of the House. (Hear, hear). Understanding but imperfectly the language in which the greater part of the speech of the hon. member had been delivered, he could not follow him through the course of every argument he had used, but all those he did understand, he would endeavor to meet fairly.¹⁴¹ And he fully believed there was no one on that side of the House, who would approach the subject except in a spirit of candour and justice.¹⁴²

The first argument of the hon. member was founded on the disproportion of money expended in that part of the Lower Province, which forms the five Counties, lying between Quebec and Bonaventure. This he (Mr. Gowan) conceived to be no basis, upon which to rest an argument. It was not to particular sections of the Province, but to the whole Province itself, we should look. If such an argument could be allowed, how would it apply to his (Mr. Gowan's) part of the Province? Before the Union, the Eastern District of Upper Canada had received £421,000, the Midland, £31,122, the Newcastle, £109,323, the Home, £160,000, the Gore, £98,434, and the Niagara, £507,555, making an aggregate sum of £1,327,434 in the six Districts, while in the Johnstown, with which he (Mr. Gowan) was connected £7,000 only was expended. This might be subject for local complaint and local grievance, but surely it could be no proof that U. Canada at large, had not received her fair proportion of the public expenditure; on the contrary, it would be but

confirming the fact.¹⁴³

Hear, hear, from MR. AYLWIN.¹⁴⁴

MR. GOWAN. In like manner, if he should be enabled to show, that proportionate expenditures were made within the Province of what was formerly Lower Canada, he thought the argument based on the disproportion existing in the five Eastern Counties, would fall to the ground. The next argument of the hon. member had reference to the population of the country, urging that the amount expended in each section of the Province, was not proportioned, and was not divided in accordance with the population which each section respectively bore to the whole. But this argument, like the preceding one, was fallacious. If it had any force, a small Village containing within a space of one mile square, some five or ten thousand souls, should have an equal amount of public expenditure with a large tract of country of perhaps twenty miles square, and containing a rural population not greater in numbers than the Village! He thought the unsound and unphilosophical nature of the argument, was sufficiently apparent not to need much time being spent upon it. It was not to numbers only that the hon. member should have looked, but to the amount of their consumption and their product.¹⁴⁵ (Hear, hear.) If the hon. gentleman had shown that by an increased population there was a proportional increase in contributing to the public revenue, he would have admitted the justice of the argument, but if that could not be shewn, the argument was necessarily false.¹⁴⁶ (Hear, hear).

The hon. member had stated that the prosperity of Lower Canada had been well established, long before Leeds and Peterborough had been heard of. He (Mr. Gowan) had not risen for the purpose of bandying expressions of an irritable tendency, and he should not be provoked into such a course, but this he might tell the hon. gentleman, that neither Leeds nor Peterborough nor any other county in Upper Canada, had ever applied to L'Islet or to Rimouski,¹⁴⁷ to pay the Criers of their Courts (hear) or to maintain the prisoners in gaol. (Hear, hear.)¹⁴⁸ ((Or)) to build their gaols, to pay their constables, to print their municipal laws, or to pay for any other local matter. Whether the hon. member for L'Islet could say as much for his own county, or for any other county in Lower Canada, the public accounts, now on the table of the House, would attest. (Loud cries of hear, hear.) The hon. member had next referred to the coffers of Lower Canada at the period of the Union, which he stated to be full,¹⁴⁹ ((when)) Upper Canada came in to despoil it¹⁵⁰ ((because)) those of the Upper Province were exhausted. Grant his argument, but take the causes with the concession. Upper Canada had exhausted her treasury in public works, to pour her wealth into the lap of Lower Canada, while the income of Lower Canada was locked up by her refusal to legislate,¹⁵¹ (Hear)¹⁵² or even to pay the ordinary expenses of her civil government, her administration of justice or even her legislative officers.¹⁵³

Loud laughter and cries of hear, hear, from MR. AYLWIN, and other members of the opposition.¹⁵⁴

He, MR. GOWAN, was glad to find the hon. member for Quebec in such good health and spirits, as his loud and hearty laugh indicated; he hoped

he might be long able to enjoy his laughing propensities, but he would ask the hon. member, did he deny the facts?¹⁵⁵

No, no, from MR. AYLWIN.¹⁵⁶

MR. GOWAN: Then, Sir, we have the key to the different state, in which the Union found the coffers of the two Provinces,--one section had freely given her income, to pay her public officers, and to make public works of mutual advantage, while the other not only declined public improvements, but even refused to pay out the just and honest debts, lawfully and honorably due to her own officers and the dispensers of her own justice.¹⁵⁷ He would tell ... ((the hon. member for Quebec)) to look at the proceedings of the Lower Canada Legislature, and he would find that such was the case. Was not a message sent down requiring the payment of a balance of £4,500 to the Speaker of the Lower Canada Parliament.¹⁵⁸ ((For)) even the Speaker and Officers of her Assembly remained unpaid; and the fulfilment of her just contracts emptied the treasure, which she had improperly hoarded up. (Hear, hear.) The next argument of the honorable gentleman, which he should notice, was¹⁵⁹ that the credit, the debentures of Upper Canada rose immediately after the Union took place,¹⁶⁰ in reference to what they stood prior to that event¹⁶¹, and that they were bankrupts before that event. He admitted at once that the credit of Canada did rise, but¹⁶² this argument was easily answered¹⁶³, it was not on account of the Union with Lower Canada, but on account of the guarantee of the British Government.¹⁶⁴

Hear, hear, from the Ministerial side.¹⁶⁵

MR. GOWAN: The hon. and learned member for Quebec, had told the House, in the debate on Friday night, that a more iniquitous measure than this, was never brought before a Legislature. But the steadiness of the hon. and learned gentleman's aim, was not in proportion to the anxiety of the marksman! And it may be, that his arrow may chance fly amongst his friends, and perchance, even enter the breast of his colleague, the late member for North York (Mr. Baldwin.) If he should be found supporting "the most iniquitous measure ever brought before a Legislature," what would the hon. member say? Instead, however, of being a measure of iniquity he (Mr. Gowan) viewed it as a measure of justice.¹⁶⁶ The hon. member for Terrebonne said there were many defects in the Union act, he ((Mr. Gowan)) looked upon it as one of them that the same measure of justice was not given to Upper Canada as to Lower Canada.¹⁶⁷ The object of that Act was, to unite all interests and all parties in both sections, by assimilating all our affairs and proceedings into one common whole, for the common good. (Hear). If the expence (sic) of the Administration of Justice in the lower section had been placed on the general revenues, then ought it have been in the Upper, and vice versa¹⁶⁸, and as that had been neglected he considered it is one of the defects of the Union.¹⁶⁹ We should have had been placed on the same footing, and have had but the one interest and the one object. The question should not have been left for discussion to night,¹⁷⁰ it should have formed one of the conditions on which Upper Canada consented to the Union.¹⁷¹ And he (Mr. Gowan) heartily wished that we should never again hear of such unmeaning distinctions as Canada East and Canada West. (Hear, hear.) The remembrance of them, and the frequent use of the terms, was only calculated

to revive distinctions that should be forgotten, and the tendencies of which were divisive and unhappy. Let us then forget what we were, as Upper and as Lower Canadians, and think only of one People in one Province.¹⁷²

Cheers from the Ministerial side.¹⁷³

MR. GOWAN: The hon. and learned member for Quebec, had dared any man to say that anything had been done, or even attempted, against the people of Upper Canada during the late Parliament, except what met with the approbation of the majority of her own Representatives! This was a bold assertion, indeed he might say a reckless one! Would the learned gentleman please to turn to the Journals, where on the Assessment Bill, (a measure exclusively Upper Canadian,) only 12 members, out of 42, are recorded for the measure? And who were those 12 members? They were Messrs. Baldwin, Boswell, Boulton, Cameron, Cook, Derbishire, Hincks, Hopkins, Macdonald, of Prescott, Parke, Roblin, and Smith, of Wentworth. So that, in fact, only 4 of the Upper Canada members, who voted for that measure, were enabled to obtain seats in the House. Was that, or was it not, endeavoring to force upon Upper Canada, what her people repudiated? Again, take the seat of Government question. How did the votes upon it stand? It was supported by 14 Upper Canada votes, out of 42, while 27 were recorded against it. (hear, hear,) and of its supporters, how many have the people sent back to this House! Just 4! namely, Messrs. Baldwin, Macdonell, (Glengary,) Powell, and Price. Examine the majority that carried the Secret Societies Bill, and other detestable and oppressive measures, and they will be found swept away from the popular representation with a like besom of destruction.

The hon. member for L'Islet, stated that Upper Canada was ruined, and without credit, at the time of the Union, and the learned member for Quebec, had stigmatized her people as "Bankrupts and Beggars."¹⁷⁴

Yes, from MR. AYLWIN, Bankrupts and Beggars.¹⁷⁵

MR. GOWAN: In a moment of irritation, an honorable friend of his (Mr. Gowan's) had returned some harsh expressions on the gentleman opposite. He only noticed them now to say that in that taunt, neither he (Mr. Gowan,) nor his hon. friends near him, participated.¹⁷⁶

Hear, hear, hear, "très bien, très bien"¹⁷⁷, from the opposition.¹⁷⁸

He, MR. GOWAN, deprecated the language, and he did not entertain the views it was calculated to convey.¹⁷⁹

Cheers from the opposition.¹⁸⁰

MR. GOWAN having said thus much, regarding the language forced from his honorable friend, he would now allude to the taunting expressions of the member for Quebec, which had drawn it forth. He (Mr. Gowan) would not say who were, or who were not, "Bankrupts and Beggars," but he would ask the member for Quebec a few questions, the answers to which, should suffice for his reply to the taunt. Who employs your hundreds of trains¹⁸¹ which leave Lower Canada for the upper section of the Province in the winter season¹⁸², conveying merchandize ... ? Are they bankrupts and Beggars? Who employs your boatmen,¹⁸³ plying between the upper and lower sections of the Province¹⁸⁴, in their commerce, in the summer? Are they Bankrupts and Beg-

gars?¹⁸⁵ Has he ((Mr. Aylwin)) ever in his experience found that any portion of the population of Upper Canada come down here to seek employment? On the other hand,¹⁸⁶ who gives employment to the hundreds of Lower Canada, that yearly seek employment above? Are they Bankrupts and Beggars!¹⁸⁷ And if the hon. member would walk down to the wharves of this city and observe the thousands of barrels of Flour coming from Upper Canada---¹⁸⁸

A MEMBER. - It is American.¹⁸⁹

MR. GOWAN. - Partly; but he could take the hon. member to milling establishments in Upper Canada, where they turn out thousands of barrels of flour, and then he would be able to say whether they are "bankrupts and beggars" or not. But in future every Canadian Barrel of flour should be marked B. B., "bankrupts and beggars," (Hear, hear.)¹⁹⁰ Must the wheat that fills your granaries be stamped B. B.!¹⁹¹ Let the hon. gentleman look at the calculations of the hon. Inspector General and say who produces the immense quantity of ashes which load the shipping in Montreal¹⁹² and ... ((give)) energy to ... ((Lower Canadian)) Commerce!¹⁹³ Who were the "beggars"?¹⁹⁴ But if the learned member will only walk through his native city, and as he passes her fine coves and harbors, will simply ask himself the question, whose lumber fills those coves and harbors, what will be the response? Will it be Bankrupts and Beggars? He would appeal with confidence to the justice and liberality, to the correct taste, the plain sense and understanding of the honorable gentlemen from Lower Canada? He would turn from the offensive language of the member for Quebec, and appeal to the candour and justice of the Lower Canada Representatives, and he would tell them that every tree felled in our Western Forests, and every acre cultivated in our Western Fields, tended to enrich our Eastern Sister. (Loud cries of hear.) Having said so much in reply to the speeches of the two honorable gentlemen, he would not turn to the Financial Statistics which he had prepared.

The hon. gentleman here read several tables which he had prepared of the relative income and expenditure of Upper and Lower Canada. The first, Excise, Customs, Public Works &c. exhibits income for 1844--U.C. £143,022 1843--L.C. £74,361 4 1 3/4--amount of income paid by U.C. more than L.C.--£68,661 14s 1 1/4d. The expenditure in the same period was for L.C. 92,204 2s 7d; for U.C. 78,056 8s. 9d. being £14,147 13 s. 10d. more in the former than in the latter, besides £118,000 for Militia scrip to Lower Canadian Militia. In 1845 the income derived from Lower Canada was £66,891 5s. 8 3/4d. From Upper Canada, £172,563 12s. 1 1/4d. shewing a balance in favor of U.C. of £105,671 6s. 4 1/2d. These returns are independent of the duties collected at Montreal, Quebec and St. Johns amounting to £327,177. 17s 0d. the largest proportion of which, is however paid by Upper Canada. Passing from the general revenue to the Public Works, the hon. gentleman next shewed that these works in Lower Canada contributed to the revenue the sum of £9,361 4s. 11d. while in Upper Canada they yielded £26,202 16s. 1 3/4d. The expenditure on Public Works in Lower Canada had been £221,775 previous to the Union, and in Upper Canada, £383,891 15s. The St. Lawrence and Welland Canals are omitted, as being works common to the interests of both sections of the Province. Since the Union, and forming a part of the

new debt, Lower Canada has received for local improvement £114,613; the Welland and St. Lawrence canals and Lake St. Peter, about £1,292,058, leaving to Upper Canada £335,353. Of the extra expenditure the sum of £13,428 is charged to Lower Canada; £47,325 to Upper. In the expenditure of the government, Lower Canada had in 1844 the advantage of Upper Canada to the extent of £45,430 3s. 11d.; in 1845, £136,250 3s. 4d.--total of 1844 and 1845, in favor of L.C. £181,680 7s 3d. ...¹⁹⁵

He had to thank the House for the patient hearing he had received and he trusted that if the facts he had laid before Parliament were found to be correct, hon. gentlemen on the other side would view this measure, not as one of spoliation to Lower Canada, but of justice to all. He should be sorry to have it viewed in any other light; he hoped we would forget our past dissensions (sic) and divisions, and for the future view each other as the members of one great family. (Cheers.) Let us know no distinctions, save that which the free scope of the human intellect must naturally engender; and when such distinctions may arise, let us agree to disagree. (Hear, hear.) In a word, let us appeal from the rancour of the past, to the patriotism of the future, and only hail each other as fellow subjects of the one great Empire.¹⁹⁶

MR. AYLWIN was pleased with the manner in which the hon. member for Leeds had spoken on this question. The subject before us has been treated after a peculiar fashion; the speeches of the hon. members opposite were made up of calculations and figures. This recalled to his mind two or three lines from a celebrated poet,

"They extract figures out of matter,
And shew them in a glass like water."

The hon. members opposite have endeavoured to prove to the people of Lower Canada, that they have gained a great deal by espousing a large debt. Several of the members would remember the discussion that took place in the Upper Canada Parliament about the Union. It was there urged as an argument in favour of the Union, that the bargain was a hard one for Lower Canada, they being able to saddle their debts upon Lower Canada; it was said to them by those high in authority, that if you vote against the measure you will be in an embarrassed state. It is easy to make calculations and thereby deceive persons who were not acquainted with the subject - we know how these exhibitions are made in England. It is said that it was the guarantee of the British Government and not the Union that improved the credit of Upper Canada, all he could say in answer to this is, that this guarantee would never have been given had it not been for the Union, for British guarantees are not given to people who repudiate.¹⁹⁷

MR. GOWAN - the Province of Upper Canada never did repudiate.¹⁹⁸

MR. AYLWIN ((continued:)) This guarantee was given for the purpose of gilding the bitter pill of the Union. He (Mr. A.) would not go into calculations for it was not necessary, he would only ask where is the majority of the population to be found if not in Lower Canada. The people of Upper Canada are in a favoured position, they have an extensive frontier and it was known whence came most of what they consumed.¹⁹⁹

MR. HALL - we pay duty though.²⁰⁰

MR. AYLWIN - you pay for all, you don't smuggle, (loud laughter) Lower Canada had no such advantage, she really paid duty on all she consumed, (yes, yes,) Upper Canada always basked in the sunshine of royal favour, and has been built up by military expenditure. Hon. members have asked who made Lower Canada; he would say to them, it was the descendants of those noble Normans, who in former days conquered England, that had made Lower Canada what it is. Some hon. gentlemen speak as if they thought that the District of Montreal was the whole of Lower Canada; and he regretted to state that this had been (sic) always the case even with the Lower Canada Parliament, for the leaders of the House of Assembly, the Vigers and Papineaus, to gain political capital, spent all the public funds in improving the favourite District of Montreal. The same spirit has been at work since the Union, hence we have the attempt to dredge Lake St. Peter, that the merchant princes of Montreal may be aggrandized. He had been attacked by the hon. member for Montreal for inconsistency; he was always glad to be attacked, for he was ever ready to defend himself. It is true that then the hon. member for Montreal was strongly opposed to the President of the Council, and his celebrated relative who formerly filled the distinguished office of Speaker of the Lower Canada House of Assembly, I stood up manfully for British interests, and was an active member of the constitutional association. I was appointed a delegate to a convention of these associations, and I can state that I prize the honour of being a delegate to that convention more than even being a member of this House. The measure that was first introduced into that convention was the Union of the Provinces; I immediately stated that if this measure was adopted I would leave the meeting; and true to my word, the measure having been carried with only two or three dissentient voices, I left. Efforts were made the next day by certain gentlemen who are now strong supporters of the hon. member for Montreal (Mr. Moffatt) to induce me to return, but I would not, as I was always a determined enemy to the Union, I was prepared to stand or fall by the Constitutional Association, but they left me instead of my leaving them. He (Mr. A.) was taxed with inconsistency forsooth, by men who are now supporting individuals, whom they formerly designated as rebels and traitors; he could, however, afford to laugh at the taunt. He would ask his hon. friends around him if they consider him as an enemy to the French Canadians?201

No, no, from some of the French members.202

MR. AYLWIN ((continued:)) Was not a great deal of the heat which he manifested, occasioned by seeing opposite to him the hon. members for the town of Three Rivers and the county of Ottawa, supported by the hon. members for the city of Montreal? He could affirm that the British part of the population of Lower Canada was trampled upon and oppressed, by the majority in the House of Assembly. He had never denied that this was his opinion, and he had never regretted the active part he had taken against the Vigers and Papineaus of former days. What he thought then, he still thought, for he hated the oppression of the many over the few, as the few over the many; the latter will be the case in the present instance. The people of Upper Canada luxuriated in two and twenty small districts, with their petty

Sheriffs, coroners, &c.; and now all their little dirty officials who reside in that part of the Province, are to be paid out of the joint funds of the whole Province. He would again ask if the late administration ever attempted to force any measure upon the people of Upper Canada against the wishes of the majority of their representatives? The assessment bill was brought forward as an instance of this, but in reply, he would ask was that bill persisted in? He called upon the hon. member for Megantic to state if there was any desire to impose any measure upon Upper Canada without the concurrence of the majority of its members.²⁰³

MR. PROV. SEC. DALY, nodded assent.²⁰⁴

MR. AYLWIN ((resumed:)) How is Lower Canada now governed? By the ministers from that section of the country, supported by only three or four of the representatives of Lower Canada. Should his party regain power, he would not be in favour of imposing laws upon Upper Canada without the concurrence of the majority of its representatives. He was sorry that the words which he had uttered on a previous occasion had been taken up in an offensive sense, by certain hon. members. He did not intend to say any thing to wound the feelings of any one.²⁰⁵

MR. ARMSTRONG ... addressed the House.²⁰⁶

MR. R. MACDONALD, Cornwall, had waited to hear an expression of opinion upon this question from the member for the Fourth Riding of York - he who pretended to represent the whole people and patriotism of Upper Canada. When, on the previous evening, the people of Upper Canada were called "bankrupts and beggars," he had expected that hon. gentleman to rise in his place, and break a lance for those who sent him to that House; but he had been disappointed;²⁰⁷ this he added to the other favours which Upper Canada had received to wit; the removal of the seat of Government &c. He (Mr. M'Donald) was not the only person who was watching the movements of that hon. member, the people of Upper Canada generally had their eye upon him, and²⁰⁸ he would tell that hon. member that a repetition of this conduct would send him from Upper Canada to Rimouski once more for a seat.²⁰⁹ He (Mr. Baldwin) not only refrained from speaking on the question before the House but when it came to the vote the other evening he found it convenient²¹⁰ to slip out of the House.²¹¹ With regard to the question in debate he (Mr. M'D.) did not consider what was to be gained by it; the people were to be pleased, and they would not stop to ask what was the gain or the loss, their demand was to be placed on the same footing with Lower Canada; he would repeat that it was no matter what was gained or lost in Upper Canada, if there was a gain, it was only a proof that the people know more than the people of Lower Canada, that we are cleverer than they are; (hear, hear and laughter)²¹². A good deal has been said of the Union being at the expense of Lower Canada, but,²¹³ in his opinion Lower Canada had more than he (sic) was entitled to; the act of the Union was a favour conferred upon her, the proper way to act would have been to annex Montreal to Upper Canada, Gaspé and Bonaventure to New Brunswick, and then place the District of Quebec under a Governor and Council, "that was what many of you deserved" said the hon. member waiving (sic) his ... hand towards the opposition.²¹⁴ The members for Lower Canada

complained of their being isolated, and in a minority; he recommended them to pause in the course which they were pursuing, for, if the Union of the two Provinces could not be carried out, there would have to be an Union of the whole of the British Provinces in North America, for there could be no receding, and then what voice would the French Canadians have in the Councils of the country?²¹⁵ After some further ... remarks in reference to the hon Mr. Aylwin, the hon. member declared his intention to vote in favour of the report.²¹⁶

MR. BALDWIN wished the House distinctly to understand that he did not rise merely in compliance with the wish of the hon. member for Cornwall. With regard to his (Mr. B's.) absence from the House on Friday evening last, when a decision was come to on the present question, he would deny that it was from any desire to shirk the responsibility of voting; it was solely because of a scene having arisen which he did not wish to participate in and which appeared to him at the time to be likely to continue during the evening, and to end in no very happy way; he had been, however, glad to hear that it had terminated as such scenes always should, and he was particularly pleased to find that the debate on the present occasion exhibited no traces whatever of former ascerbity or ill feeling; he would especially refer to the happy tone of the hon. member for Peterborough, and also to the very proper manner in which the hon. and learned member for Quebec had expressed his regret for having, under the excitement of the moment, used certain offensive words towards the people of Upper Canada. In reference to the question before the ... House, he (Mr. B) would first say, what he had often said before, that he was an unflinching advocate of the Union of the Provinces, and being anxious for that Union, he was also anxious that it should not be a mere parchment union (hear, hear) but one of hearts and hands; a Union that would give increased prosperity and strength to the country, and that would make her respectable not only in the eyes of her own people, but in the eyes of the world; and he was satisfied that if they put their shoulders unitedly to the wheel, if they forgot peculiarities and petty differences that grand end would be attained. What he (Mr. Baldwin) particularly deprecated was differences arising out of sectional feelings and interests²¹⁷, which unfortunately existed²¹⁸; he entreated all parties to join with him in that desire, and particularly did he appeal to those who from their ability and influence were in a position to lead the public mind; he was keenly alive to the danger of those sectional differences, and it was because he desired to put an end to them, to bury them forever, that he would record his vote in favour of the proposition before the House. (Hear, hear.) He desired that political capital should no longer be made out of appeals against this or that peculiarity in the relative position of the two sections of the country; he wished to put it out of the power of evil disposed men to foment quarrels on that score, and therefore it was that when a Minister of the Crown conceived that the state of the public revenue enabled him to come down to the House with such a measure as the present, one, in his (Mr. Baldwin's) view, calculated to promote the common peace of the country, he felt it to be his duty to support it (hear, hear.) But he did not, in any degree, give his support to the present measure, on the ground assumed by some hon. members - viz., justice to Upper Canada; (hear hear.)

In strict justice Upper Canada had no right whatever to ask it; he entirely repudiated such a proposition; he adopted the recommendation of the Minister of the Crown upon no such ground, but merely as a means of promoting the general peace and welfare of the united people (hear.)²¹⁹ He would vote for it because it long been and would still be, so long as the present arrangement lasted, a constant subject of dissension between the two sections of the Province, whose interest ought to unite them for defence against every enemy.²²⁰ He appealed to members on both sides of the House to use their influence in preventing such expressions as had been made use of the preceding evening, which could only tend to keep alive evil feeling and to prevent the true working of the Union.²²¹ He had objected to the particular terms²²² of "bankrupts and beggars"²²³ used by the hon. and learned member for Quebec in reference to the finances of Upper Canada at the time of the Union, but he would advise hon. members to look at the Journals of the House and they would see that Lord Sydenham's recommendation of the Union was based upon the fact that the funds of Lower Canada were necessary to wipe off the debt of Upper Canada; it could not be denied that at the time Upper Canada was substantially bankrupt, her debentures, in the London Market were as low as 80 per cent.²²⁴

MR. AT. GEN. DRAPER 87½.²²⁵

MR. BALDWIN ((resumed:)) And as for obtaining a loan upon the guarantee of Upper Canada the thing was preposterous, the only possible way to obtain a loan was upon the assurance of a Union with the Lower Province. He admitted that some of the Lower Canadian members under estimated the advantages of the measure of the Union to their section of the country, but it should not be forgotten under what circumstances that measure was forced upon them²²⁶, ((not)) by the people of Upper Canada, on the contrary, ((by)) circumstances ((which)) forced it as much upon one section of the Province as the other.²²⁷ In Upper Canada the people had their Parliament through which to make known their views and wishes, and yet they complained of force²²⁸.

Hear, hear from the ministerial side.²²⁹

MR. BALDWIN ((continued:)) Lower Canada had no Parliament at the time, her constitution was suspended, her voice as a country could not be heard; it was therefore not to be wondered at that she regarded the Union with an unfavourable eye. With regard to the question of the Canals in Upper Canada, about which so much had been said he could not help thinking that those Canals, and especially the Southern line of them, would afford great advantages to the country generally; but there was one point overlooked in the arguments on that subject, and that was the large amount that was sunk in jobbing²³⁰ and profligate expenditure.²³¹ There was no doubt that the lawful expenses of the Canals was properly a joint debt of the two Provinces, but he would say that the loss by jobbing ought not to be charged to Lower Canada because she had no hand whatever in it. He had said in commencing that he wished the House to understand that in rising to speak he was no way influenced by the call of the hon. member for Cornwall; that he would then repeat, and the only notice he would take of the hon. member's speech was to state that that part of it which referred to the posi-

tion in which he (Mr. Baldwin) stood towards his hon. friend the member for Terrebonne was drawn entirely from his (the hon. member for Cornwall's) own imagination; it had been said of other hon. members during the debate that they had availed themselves a good deal of their imaginative powers but in that regard the hon. member for Cornwall had exceeded all, had indeed, capped the climax.²³²

MR. AT. GEN. DRAPER said that this was a question which involved some thing more than pounds, shillings, and pence, and after the remarks which fell from the hon. member for the Fourth Riding of York, he felt that he would not be doing his duty towards his hon. friends, if he did not briefly express his sentiments. He was happy to say that he concurred not only in the vote which that hon. member was prepared to give, but also in the high political principles which guided him on the occasion. He must say that so far as regards the Union, that up to the year 1838, he was opposed to it, for he looked upon it merely in the light of an experiment which might never succeed, and he recorded his vote in opposition to that Union, the first session he was in Parliament. But when he saw Upper Canada perishing by slow degrees (hear,) and Lower Canada suffering from the want of a Constitutional Government, - a result brought about by an unfortunate rebellion which he for one was free to admit was not occasioned solely by the people (hear,) he became a convert in 1839, and advocated the Union of the two Provinces at a time when the consequences might have been personally dangerous to himself, for if he remembered aright, the despatch from the Colonial Secretary stated that the question was one unfit to be brought under the consideration of the Imperial Government. He (Mr. Draper) might appeal to every act of his since the Union, that his only wish was to make it close & indissoluable (sic), that was the sole basis of his conduct, he might appeal to many of his acts to show that they had but one end in view, to prevent the agitation of the question of dissolving the Union, and he would be content to rest this question on the broad basis that there should be felt no distinctions between the two sections of the Province. (Hear, hear.) And if anything should remain which will continue to mark the distinction between Upper and Lower Canada, whether it was in Upper Canada or whether it was in Lower Canada, he would be prepared to destroy that distinction, as he was prepared to carry this measure through. He would argue with the hon. member on another point, that it was only by carrying out the union thoroughly that we should hear no more of Upper or Lower Canada, but become a united people, and might expect to attain to that eminence to which this great country is destined (hear, hear.) She has all the elements within her, and it was only by fostering them that it could be expected she would take her proper position which he trusted and believed was not that of a mere adjunct to another country (cheers); and he hoped that the spirit of monarchy, of free monarchy, would be so firmly established that there would be nothing to fear, nothing to hope for, from the republicanism of neighboring States (cheers). And how was it ... to be carried out, by keeping open these distinctions or by laying them entirely aside and then presenting the bold front that a united people can do, those were the grounds on which he acted, that was his object, and the present measure was one of the means by which he hoped it would be attained; and if other hon. members opposed it, it was merely

because they adhered to the petty and narrow distinctions which ought to be forgotten. He could bear the taunts of the hon. member for Quebec with great philosophy, for although the Normans did conquer the English, yet it appeared they had very sufficiently revenged themselves on different occasions, he made no allusions to recent events in this country, but forgetting any momentary ill feeling which might have been caused, he would call on hon. gentlemen to remember what they had often asserted, that whether of Norman or Saxon origin, their highest boast was that they formed part and parcel of the British empire, therefore no longer preserving these narrow distinctions, they should unite cordially in any project likely to make them appear less striking.²³³

M. CAUCHON n'avait que deux mots à dire, il voulait demander à l'hon. membre pour Montréal (M. Moffatt) une explication de cette espèce de prophétie qu'il avait voulu faire en disant que dans trois cents ans les Canadiens-français ne parleraient plus contre l'Union des Canadas; à entendre l'hon. membre, un pouvoir surnaturel fera disparaître les Canadiens de la surface du globe. S'il avait quelque moyen d'expliquer cette prophétie, c'était bien par le désir qu'avait manifesté l'hon. membre pour Cornwall de voir annexer Montréal au Haut-Canada, Gaspé au Nouveau-Brunswick, et de donner à Québec un conseil spécial. M. Draper avait exprimé ses convictions en désirant voir les deux parties de la province jouir en paix des bienfaits de l'Union, mais il n'avait pas exprimé les convictions de ses collègues, et surtout du membre de Cornwall qui n'avait parlé que pour insulter les membres du Bas-Canada. Cependant il ne pouvait s'empêcher d'être étonné du raisonnement de l'hon. procureur-général, qui avoue que le Haut-Canada était sur le point de faire banqueroute, et que le Bas-Canada, était pauvre, mais prétend que l'Union entre les deux provinces devait les enrichir toutes deux; autant ... ((vaudrait)) soutenir que deux mendiants font un homme riche, ou que deux hommes noirs font un homme blanc (rire). Il ne blâmerait aucun membre du Bas-Canada, si un seul membre appuyait ces résolutions, un cri d'indignation s'élèverait dans son coeur, et dans celui de tous les habitants de cette partie du pays. Il y avait un homme autrefois dans la chambre d'assemblée du Bas-Canada qui faisait payer des £25 à la province pour des discours virulents qu'il préparait contre la Grande-Bretagne, cet homme portait un jour un flambeau pour brûler en effigie le gouverneur Dalhousie; cet homme siège maintenant de l'autre côté de la chambre, et peut-être même que dans une question si palpitante d'intérêt pour ses compatriotes et le Bas-Canada, on le verra voter contre eux. M. Cauchon dit ensuite quelques mots pour tourner en ridicule la statistique du membre pour Durham qui avait prétendu que les grains produits dans son comté avaient chargé 16,500 vaisseaux. Il démontra aussi que sur 600,000 barils qui viennent à Montréal les 5-6 sont des Etats-Unis, ce qui laisse une balance de 100,000 barils venant du Haut-Canada.²³⁴

M. MOFFATT se leva, et dit qu'il avait été mal compris, qu'il n'avait jamais voulu dire que les Canadiens-français ne seraient plus représentés dans trois cents ans dans le parlement, qu'au contraire il serait prêt à les supporter lui-même lorsque leurs demandes seraient modérées.²³⁵

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On motion of the Honourable Mr. Cayley, seconded by the Honourable Mr. Attorney General Smith,

Ordered, That the question of concurrence be now separately put upon each of the said Resolutions.

And the said Resolutions being again severally read, and the question being separately put thereon, the House divided upon each, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Boulton, Brooks, Cayley, Chalmers, Christie, Colville, Cummings, Daly, DeBligny, Dickson, Attorney General Draper, Ermatinger, Foster, Gowan, Hall, Hall, Jessup, Johnston, LeBoutillier, Macdonald of CORNWALL, Macdonald of QUEBEC, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Moffatt, Monro, Murney, Papineau, Petrie, Price, Robinson, Rollin, Seymour, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Solicitor General Taschereau, Thompson, Viger, Williams, and Woods.--(44.)

NAYS.

Armstrong, Aylwin, Berthelot, Bertrand, Bouthillier, Cauchon, Chabot, Desautels, DeWitt, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Méthot, Nelson, Scott, and Taché.--(19.)

So they were carried in the affirmative, and
Resolved, Accordingly.

Bill.

The Honourable Mr. Cayley moved, seconded by the Honourable Mr. Attorney General Smith, for leave to bring in a Bill for defraying the expenses of the Administration of Justice, in Criminal matters, in that part of the Province, formerly Upper Canada.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative.

And he accordingly presented the said Bill to the House, and the same was received and read for the first time.

The Honourable Mr. Cayley moved, seconded by the Honourable Mr. Attorney General Smith, that the said Bill be read a second time on Friday next.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as in the last preceding division.

So it was carried in the affirmative, and

Ordered, Accordingly.

Returns to
Addresses.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

Saguenay
Crown Timber

Return to an Address of the Legislative Assembly, to His Excellency the Governor General; praying that

Licenses.

His Excellency will be pleased to lay before the House, "a Statement of all Licenses for cutting Timber upon the Crown Lands, in the County of Saguenay, containing the names of the parties to whom such Licenses have been issued.

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Courts of Jurisdiction for Kamouraska and Rimouski.

Also,

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the House "Copies of all Correspondence, Opinions and Reports of the Judges of the Courts of Queen's Bench, and Judges of the Circuit and District of Quebec, relating to the establishment of a separate Court or Jurisdiction for Judicial purposes, in the Counties of Kamouraska and Rimouski, with reference to the changes in the present Judicial system in Lower Canada, during the years 1844 and 1845."

Extract from a letter addressed to the Honourable D. Daly, Provincial Secretary, by J. C. Bruneau, Esquire, Circuit Judge of the District of Quebec, dated 30th December, 1844.

"I have only now to give the plan which I think will meet the present and future wants of the country.

The Counties of Ottawa and of Missisquoi have already prayed to be formed into separate Districts, many others, equally distant from the Cities of Montreal and Quebec, desire the same favor, and would receive it with pleasure; it would therefore seem necessary to subdivide the two great Districts of Montreal and Quebec, for certain judiciary purposes.

I begin by the Court of Appeals.

1. There would be only one Court of Appeals for the whole Province of Lower Canada, which would be held at the capital; it would be presided over by four Judges, two of whom would reside in Montreal, the Chief Justice and one of them, and the two others at Quebec; this Court would revise all judgments rendered in the Superior Courts of the Districts of Montreal, Quebec, Three Rivers, St. Francis, Gaspé, and the other Districts to be established hereafter; on an equal division in appeal, the judgments of the Inferior Term would be confirmed.

2. The Criminal Court would be held at Montreal by the two Judges of the Court of Appeals residing at Montreal, and at Quebec by the two Judges of the same Court, residing there. In the Districts of Three Rivers, and St. Francis the Criminal Court would be presided over by two of the Judges of the Superior Courts of Montreal and Quebec, assisted by the resident Judges of each locality, and at Gaspé by one Judge only, assisted by the two resident Judges.

3. A Superior Court would be held at Montreal, for the District of Montreal, and presided over by three resident Judges of the Queen's Bench, and another at Quebec, also presided over by the three resident Judges of the Queen's Bench. A similar Court would be held in the Districts of Three Rivers, St. Francis, and in the other Districts to be hereafter established, presided over by two of the Judges of the Superior Courts of Montreal, assisted by each of the resident Judges, and at Gaspé by one

STATEMENT OF LIABILITIES INCURRED FOR CARRYING FORWARD UPON THE TREASURY LANDS IN THE COUNTY OF SAGUENAY, CONTAINING THE NAMES OF THE PARTIES TO WHOM SUCH LIABILITIES HAVE BEEN GRANTED, FURNISHED IN COMPLIANCE WITH A RESOLUTION OF THE HONOURABLE THE LEGISLATIVE ASSEMBLY, DATED 14th April, 1846.

Date.	Name.	W. P. Logs.	Spruce Logs.	Rate.	£ s. d.		Amount.
July 28, 1843	Geo. M'Kenzie & A. Tremblay	15000	...	0 5	...	...	£ 312 s. 10 d. 0
August 15, do	Thomas Simard	4000	...	0 5	83	6 8	
	do	...	4000	0 2½	41	13 4	125 0 0
September 12, do	Héli Hudon	...	3500	0 2½	...	...	36 9 2
October 20, do	William Price & Co.	44000	...	0 5	41	13 4	922 18 4
November 15, do	Adolphe Gagnon	2000	...	0 5	31	5 0	
	do	...	3000	0 2½	...	...	72 18 0
December 9, do	Francis Guay	...	6000	0 2½	...	...	62 10 0
January 22, 1844	Chas. Turgeon	...	2000	0 2½	...	...	20 16 8
May 9, do	Thomas Jones	...	...	...	...	...	125 0 0
July do	James Gibb	5000	...	0 5	104	3 4	
	do	...	3000	0 2½	31	5 0	135 8 4
do 30, do	Wm. Price & Co.	10000	...	0 5	...	...	208 6 8
September 26, do	Thos. Simard	3000	...	0 5	62	10 0	
	do	...	3000	0 2½	31	5 0	93 15 0
January 9, 1845	Wm. Price & Co.	74852	...	0 5	1559	8 4	
	do	...	8000	0 2½	83	6 8	1642 15 0
June 23, do	F. Boucher	3500	...	0 5	...	...	72 18 4
	do	...	5000	0 2½	...	...	52 1 8
do 26, do	William Price & Co.	8100	...	0 5	...	...	168 15 0
do 24, do	do	56000	...	0 5	...	...	1166 13 4
do do	do	37000	...	0 5	...	...	770 16 8
do do	James Gibb	5000	...	0 5	104	3 4	
do do	do	...	500	...	5	4 2	
do do	Edward Slevin	24000	...	0 5	500	0 0	609 7 6
					£6595	19 8	

of the said Judges of the Queen's Bench, assisted by the two resident Judges.

4.--In every District an Inferior Term and Circuit Courts would be held, having jurisdiction to the amount of £20 and above £10. The evidence to be taken in writing, and a summary appeal to be granted to the Court of Appeals at Montreal or Quebec, as the case might be.

The Superior Term would take cognizance of all other claims.

5. The Sessions of the Peace would be presided over in the Districts of Montreal, Quebec, Three Rivers and Gaspé, by the Commissioner of Bankrupts in each locality, and in the other Districts by the resident Judge.

6. From the District of Montreal would be detached, 1st. the County of Ottawa, which would form the District of Ottawa, of which Aylmer would be the chief place. Two other Districts would be formed on the South side of the river St. Lawrence, at the extremity most distant from the City of Montreal.

From the District of Quebec the County of Saguenay would be detached and called the District of Saguenay, of which Malbaie would be the chief place. The Counties of Rimouski and Kamouraska on the South of the river would form the Rivière du Loup District, of which Rivière du Loup would be the chief place. A resident Judge would be appointed for each of the new Districts. The Inferior Terms and Circuit Courts would be presided over in the Districts of Montreal and Quebec by one of the Judges of the Queen's Bench, and in the other Districts by the resident Judge or Judges.

7. A Clerk and a Sheriff would be appointed for each of the new Districts, the former would also be Clerk of the Peace.

Here is the Plan of the Courts:--

1. THE COURT OF APPEALS.--To be held at Montreal three times a year for all of the Districts, presided over by the four Judges of the Appeals.

2. THE CRIMINAL COURT.--To be held at Montreal and Quebec three times a year, and presided over in each locality by the two resident Judges of Appeals, and also twice a year in the Districts of Three Rivers and St. Francis, presided over by two of the Judges of the Queen's Bench and the resident Judge, and at Gaspé by one of the Judges of the Queen's Bench, and the two resident Judges.

3. SUPERIOR TERM OF THE QUEEN'S BENCH.--Four times a year, at Montreal and Quebec, presided by the three Judges of the Queen's Bench and of each locality; and twice a year in the Districts of Three Rivers, St. Francis, and Gaspé, after the Criminal Term, and presided over by the same Judges; also in the new Districts twice a year, presided over by two of the Judges of the Queen's Bench, and the resident Judge.

4. INFERIOR TERM.--Six times a year in the Districts of Montreal and Quebec, presided over by one of the Judges of the Queen's Bench; and four times a year in the other Districts, presided over by the resident Judge.

5. CIRCUIT COURTS.--Twice a year in all the Districts, presided over in the same manner as the Inferior Term.

6. SESSIONS OF THE PEACE.--At the same periods as at present.

The foregoing contains pretty nearly my ideas concerning the Judiciary system which the country would require. Although the establishing of the new Districts would, at first sight, seem to entail further expense on the Province, it would, in my opinion, have a contrary effect; and every one will agree with me as soon as the system will have come into operation."

Extract of a Letter addressed to the Honourable D. Daly, Provincial Secretary, by W. K. M'Cord, Esquire, Circuit Judge of the District of Quebec, dated 1st January, 1845.

CIRCUITS.--Each Judge of the Court of Queen's Bench, or Resident Judge for the District of Quebec, to perform one Circuit each year, whereof two are to be, while the navigation is open, that is, from the 1st of May to the 1st of November. The third in the latter end of February, with the Jurisdiction similar, and in like Terms to the Inferior Term, Queen's Bench, like powers of evocation, &c., &c., &c.

Circuit on the south shore, not to extend below Kamouraska. Jurisdiction of a less extent than those of Montreal and Quebec, in some respects, should be established in those parts of the Province which their great distance from the said cities would render it absolutely necessary. I would, at present, suggest Aylmer, on the Ottawa, and the two best adapted places

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on the south shore of the St. Lawrence; and should the system of Circuits for the District of Quebec not be approved of, I would propose, as separate Districts on the south shore of the River St. Lawrence, Rivière du Loup. As a centre, and on the north shore, Murray Bay or Malbaie. A Court to be held by the Resident Judges of said separate Districts; Jurisdiction the same as the Queen's Bench, in all and every respect, at which said Courts, as well as in Queen's Bench, Superior and Inferior Term; I would propose changing the Law as it now stands, and permit all Farmers to prove their claims as in Mercantile cases, according to the English Law.

QUARTER SESSIONS.--Jurisdiction should also be granted to these Districts. It would probably be as well that the Court of Civil Jurisdiction should be held at the same time. This course would be of great convenience to the people in general, as many would be enabled to attend to their won business, while aiding and assisting in the Administration of Justice. Incalculable advantage would be derived by having a legal person to preside at Courts of Quarter Sessions. In the first place it would afford the Magistrates of the country to aid and assist in the execution of the Criminal Law, and thereby render them more conversant with them, and enable them to perform their duties with advantage to the country, and credit to themselves. In the second place it would cause a great saving to the people individually, as it would save them from the heavy expense to which they are now subjected, when called upon to act as Jurors, sometimes from a distance of one hundred and eighty miles, and this without any remuneration.

Thirdly, it would also save large sums of money to the country, which are now paid for conveyance of Prisoners and remuneration of Witnesses.

It must not be forgotten either, that having the Administration of Criminal Justice near them, particularly at quarterly periods, would tend much to the amelioration of the morals of the people, which is much required when crime goes unpunished for want of the means or power of arresting it.

I am decidedly adverse to the present system of Concurrent Jurisdiction, as injurious to the public and advantageous only to the gentlemen of the Bar, whose interest should give way to public good, as proof of which I will suppose that there are four hundred merchants in Montreal, that

they sell to four thousand; that these four thousand to at least forty thousand; whose interests are to be considered? assuredly not the four hundred, but the forty-four thousand. It is true that in the present Bill there is a clause, which, to an inexperienced eye, would appear to do away with this difficulty. It is there enacted that no more costs for witnesses shall be allowed to the Plaintiff, than if he had sued the Defendant in his own sec-tion. But nearly all the cases in which this question would arise are mercantile cases, where one witness is sufficient, and that witness is the Plaintiff's Clerk, who generally resides with him. The Defendant, however, at whatever distance he may live, is bound to bring up his Witnesses. Moreover it must be to the advantage of a Plaintiff that there should be as little cost as possible, for they must be paid before his debt; therefore, the more costs the less principal is to be received by the Plaintiff."

The whole is respectfully submitted.

(Signed,)

W. KING M'CORD,
Circuit Judge.

Quebec, 1st January, 1845.

Brockville
Town Lot Bill.

The Order of the Day for the second reading of the
Engrossed Bill from the Legislative Council, intituled,

"An Act to authorise the Devises and Trustees of the
Will of the late Honourable Charles Jones, to convey a Town Lot therein
mentioned to the President and Board of Police of Brockville, for the uses
and purposes therein mentioned," being read;

Mr. Gowan moved, seconded by Mr. Roblin, that the said Bill be now
read a second time.

Mr. Jessup moved in amendment, seconded by Mr. Hall, that the word
"now" in the said motion be struck out, and the words "this day six months"
added thereto.

The question having been put upon the motion of amendment, a division
ensued, and it passed in the negative.²³⁶

MR. BALDWIN, this bill is to vest a certain lot of land in the town
of Brockville, in the Board of Police of that city. It appears that the
late Hon. Chas. Jones gave a lot of land on which was to be erected an in-
fant school. The school house was erected by subscription, the subscrip-
tion amounted to £164 15s., and of the subscribers, only eight of them
petition for the amount of the subscription, the sum of £38 15s. No notice
of the application has been given in the newspapers, and the residuary
legatee is in England. It therefore seemed to him improper that it should
be passed at present, it could not produce great inconvenience. He moved
that it be postponed for a week.²³⁷

MR. GOWAN, there is nothing to be gained by the postponement for a
week; as the hon. member for Grenville is not going to return. He said
that the eldest son and heir at law of the late Hon. Charles Jones, and
Mr. Ford one of the executors of his will, had signed the petition, and
all the leading persons in the place have also signed it. The only per-
son who has any real objections to the bill is the brother of the member
for Grenville, and he objects to it, because he is about building a pri-
vate residence on the adjoining lot, and he does not wish to have a public

school so near him.²³⁸

MR. BALDWIN, from his own showing, it ought to be postponed, till all the subscribers had agreed on the subject, it was invading private rights.²³⁹

MR. PRICE, there were only eight petitions against the bill, if the others were opposed, why not get their names. He said that it had been conducted as a grammar school under their very eyes, the infant school having been given up.²⁴⁰

The amendment was lost²⁴¹.

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The question being then put on the main motion, it was agreed to by the House, and

The said Bill was read accordingly.

Mr. Jessup moved, seconded by the Honourable Mr. Baldwin, that this House do now resolve itself into a Committee of the whole House, on the said Bill.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Ordered, That the said Bill be read for the third time to-morrow.

Orders of
the Day.

Mr. Smith of Frontenac moved, seconded by Mr. Roblin, that the remaining Orders of the Day be postponed until to-morrow.

The question having been put upon the said motion, a division ensued.

Yeas 11.

Nays 12.

So it passed in the negative.

Duties of
Master and
Servant Bill.

The Order of the Day for the second reading of the Bill to regulate the duties between Master and Servant, and for other purposes therein mentioned, being read;

The said Bill was accordingly read, and referred to a Select Committee, composed of the Honourable Mr. Aylwin, Mr. Stewart of Bytown, Mr. Macdonald of Kingston, Mr. Smith of Frontenac, and Mr. Price, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Moirs Mill
Dams Bill.

The Order of the Day for the second reading of the Bill to require Slides of certain dimensions to be erected upon the several Mill Dams in the river Moira,

in the County of Hastings, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Lantier took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lantier reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Quebec
British and
Canadian
School So-
ciety Bill.

The Order of the Day for the second reading of the Bill to incorporate the British and Canadian School Society of Quebec, being read;

And several Members having retired, the names of those present were taken down as followeth:--

Quorum.

MR. SPEAKER,

The Honourable Mr. Aylwin, the Honourable Mr. Baldwin, Mr. Bouthillier, Mr. Cauchon, Mr. Chabot, Mr. Gowan, Mr. Hale, Mr. Jessup, Mr. Lantier, Mr. Laurin, Mr. Macdonald of Kingston, Mr. Méthot, Mr. Monro, Mr. Murney, Mr. Price, the Honourable Mr. Robinson, Mr. Roblin, and Mr. Stewart of Bytown.

And at twenty minutes past midnight,

The House adjourned for want of a Quorum.

APPENDIX, 11 MAY 1846.

((ANNOUNCEMENT RE: ESTIMATES.))²⁴²

MR. AT. GEN. DRAPER announced that the estimates would be laid on the table to-morrow (Tuesday).²⁴³

((QUESTION AND ANSWER RE: JACQUES CARTIER RIVER WORKS.))²⁴⁴

MR. DRUMMOND ((asked a question.))²⁴⁵

MR. AT. GEN. SMITH said ... that some voluminous papers had been presented to the Government, by parties pretending to have private rights²⁴⁶ to property²⁴⁷ in the Jacques Cartier River, to impede the progress of the Board of Works there.²⁴⁸

((POSTPONED RESOLUTIONS RE: RIGHT OF IMPERIAL GOVERNMENT TO RAISE MONEY FROM CANADA.))²⁴⁹

Previous to the House going into Committee of Supply, MR. BALDWIN presented certain resolutions denying the Constitutional right of the Imperial Parliament to appropriate any moneys raised from the people of Canada, without the consent of the Provincial Parliament, and solemnly protesting against the assumption involved in the 50th to the 57th sections of the United Act inclusive.²⁵⁰

MR. AT. GEN. DRAPER fully agreed in the principle²⁵¹ advocated in the resolutions, but the language of the resolutions was not as courteous as it might be made; he wished to fully assert the principle, but in such terms as should not be considered discourteous to the Imperial Parliament.²⁵³

The resolution was deferred for the purpose of altering it.²⁵⁴

FOOTNOTES - 11 MAY 1846.

1. The text of this petition is found in LE CANADIEN, 1 June 1846.
2. The debate on this motion was reported by: MIRROR, 11 May 1846, and PILOT, 14 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 14 May 1846; and MONTREAL GAZETTE, 13 May 1846.
3. MIRROR, 11 May 1846.
4. MONTREAL GAZETTE, 13 May 1846.
5. MIRROR, 11 May 1846.
6. MONTREAL TRANSCRIPT, 14 May 1846.
7. MIRROR, 11 May 1846.
8. MONTREAL GAZETTE, 13 May 1846.
9. MIRROR, 11 May 1846.
10. MONTREAL TRANSCRIPT, 14 May 1846.
11. MONTREAL GAZETTE, 13 May 1846.
12. MIRROR, 11 May 1846.
13. MONTREAL GAZETTE, 13 May 1846.
14. MIRROR, 11 May 1846.
15. MONTREAL GAZETTE, 13 May 1846.
16. MONTREAL TRANSCRIPT, 14 May 1846.
17. MONTREAL GAZETTE, 13 May 1846.
18. MONTREAL TRANSCRIPT, 14 May 1846.
19. IBID.
20. MONTREAL GAZETTE, 13 May 1846.
21. MIRROR, 11 May 1846.
22. IBID.
23. IBID.
24. IBID.
25. MONTREAL TRANSCRIPT, 14 May 1846. According to both MONTREAL TRANSCRIPT, and MONTREAL GAZETTE, 13 May 1846, George Macdonell agreed with Hall's remarks.
26. MONTREAL TRANSCRIPT, 14 May 1846.
27. MONTREAL GAZETTE, 13 May 1846.
28. MIRROR, 11 May 1846.
29. MONTREAL TRANSCRIPT, 14 May 1846.
30. MIRROR, 11 May 1846.
31. MONTREAL GAZETTE, 13 May 1846.
32. MONTREAL TRANSCRIPT, 14 May 1846.
33. MONTREAL GAZETTE, 13 May 1846.
34. MIRROR, 11 May 1846.
35. MONTREAL GAZETTE, 13 May 1846.
36. MIRROR, 11 May 1846.
37. IBID.
38. IBID.
39. MONTREAL TRANSCRIPT, 14 May 1846.
40. MIRROR, 11 May 1846.
41. MONTREAL TRANSCRIPT, 14 May 1846.
42. MIRROR, 11 May 1846.
43. IBID.
44. IBID.

45. MONTREAL TRANSCRIPT, 14 May 1846.
46. MIRROR, 11 May 1846.
47. MONTREAL TRANSCRIPT, 14 May 1846.
48. MIRROR, 11 May 1846.
49. MONTREAL TRANSCRIPT, 14 May 1846.
50. MIRROR, 11 May 1846.
51. MONTREAL TRANSCRIPT, 14 May 1846.
52. MIRROR, 11 May 1846.
53. There is a commentary on this matter in MONTREAL GAZETTE, 9 May 1846, which was copied by BRITISH COLONIST, 15 May 1846.
54. LA MINERVE, 12 June 1846, reported that these resolutions were proposed in Committee of the Whole.
55. LA MINERVE, 12 June 1846.
56. The debate on this motion was reported by: MONTREAL GAZETTE, 13 May 1846, BRITISH COLONIST, 19 May 1846, and ST. CATHARINES JOURNAL, 21 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 14 May 1846, and KINGSTON NEWS, 18 May 1846, in identical accounts.
57. MONTREAL GAZETTE, 13 May 1846.
58. MONTREAL TRANSCRIPT, 14 May 1846.
59. MONTREAL GAZETTE, 13 May 1846.
60. The following was reported by: MONTREAL GAZETTE, 13 May 1846, and BRITISH COLONIST, 19 May 1846, in identical accounts.
61. MONTREAL GAZETTE, 13 May 1846.
62. The debate on this motion was reported by: MONTREAL GAZETTE, 13 May 1846; MIRROR, 11 May 1846, and PILOT, 14 May 1846, in identical accounts; PILOT, 11 May 1846, and BROCKVILLE RECORDER, 14 May 1846, in identical accounts; PILOT, 12 May 1846, whose account was copied by BROCKVILLE RECORDER, 14 May 1846; MONTREAL TRANSCRIPT, 14 May 1846, and LA MINERVE, 14 May 1846, in accounts which contain some identical speeches, and some which are completely dissimilar; LA MINERVE, 14, 18 May 1846, LE CANADIEN, 20 May 1846, which acknowledged LA REVUE CANADIENNE as its source, and LE JOURNAL DE QUEBEC, 30 May 1846, in identical accounts. The KINGSTON NEWS, 18 May 1846, which acknowledged its sources as PILOT, MONTREAL HERALD, and MONTREAL TIMES, contained an account in some respects identical to MIRROR, 11 May 1846, in others identical to MONTREAL TRANSCRIPT, 14 May 1846, and in still others different from both. PILOT, 12 May 1846, commented: "The important business of the House last night was the receiving the report of Committee on the Administration of Criminal justice in Upper Canada." BROCKVILLE RECORDER, 14 May 1846, described it as "a stormy debate". A commentary may be found in KINGSTON NEWS, 18 1846.
63. LA MINERVE, 14 May 1846.
64. MIRROR, 11 May 1846.
65. LA MINERVE, 18 May 1846.
66. MIRROR, 11 May 1846.
67. LA MINERVE, 18 May 1846.
68. MIRROR, 11 May 1846. MONTREAL GAZETTE, 13 May 1846, observed: "The discussion drew an admirable off hand reply from Mr. Hall".
69. MIRROR, 11 May 1846.
70. MONTREAL TRANSCRIPT, 14 May 1846.

71. MIRROR, 11 May 1846.
72. MONTREAL TRANSCRIPT, 14 May 1846.
73. MIRROR, 11 May 1846.
74. MONTREAL TRANSCRIPT, 14 May 1846.
75. MIRROR, 11 May 1846.
76. MONTREAL TRANSCRIPT, 14 May 1846.
77. MIRROR, 11 May 1846.
78. MONTREAL TRANSCRIPT, 14 May 1846.
79. MIRROR, 11 May 1846.
80. IBID.
81. MONTREAL TRANSCRIPT, 14 May 1846.
82. MIRROR, 11 May 1846.
83. MONTREAL TRANSCRIPT, 14 May 1846.
84. MIRROR, 11 May 1846.
85. MONTREAL TRANSCRIPT, 14 May 1846.
86. MIRROR, 11 May 1846.
87. MONTREAL TRANSCRIPT, 14 May 1846.
88. MIRROR, 11 May 1846.
89. MONTREAL TRANSCRIPT, 14 May 1846.
90. MIRROR, 11 May 1846.
91. MONTREAL TRANSCRIPT, 14 May 1846.
92. MIRROR, 11 May 1846.
93. MONTREAL TRANSCRIPT, 14 May 1846.
94. MIRROR, 11 May 1846.
95. MONTREAL TRANSCRIPT, 14 May 1846.
96. MIRROR, 11 May 1846.
97. MONTREAL TRANSCRIPT, 14 May 1846.
98. MIRROR, 11 May 1846.
99. MONTREAL TRANSCRIPT, 14 May 1846.
100. MIRROR, 11 May 1846.
101. MONTREAL TRANSCRIPT, 14 May 1846.
102. MIRROR, 11 May 1846.
103. LA MINERVE, 14 May 1846.
104. MIRROR, 11 May 1846.
105. IBID.
106. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted this figure as £18,136 17s 9d.
107. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted this figure as £32,132 2s 5d.
108. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted this figure as £14,874 2s 8d.
109. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted this figure as £16,216 17s 6d.
110. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted the total as £158,438 9s 0d.
111. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted the total as £65,189 12s 11d.
112. MONTREAL TRANSCRIPT, 14 May 1846. MIRROR, 11 May 1846, quoted this figure as £22,987 3s.
113. MIRROR, 11 May 1846.
114. MONTREAL TRANSCRIPT, 14 May 1846.

115. IBID.
116. IBID.
117. IBID.
118. IBID.
119. MIRROR, 11 May 1846.
120. MONTREAL TRANSCRIPT, 14 May 1846.
121. MIRROR, 11 May 1846.
122. MONTREAL TRANSCRIPT, 14 May 1846.
123. MIRROR, 11 May 1846.
124. MONTREAL TRANSCRIPT, 14 May 1846.
125. IBID.
126. MIRROR, 11 May 1846.
127. MONTREAL TRANSCRIPT, 14 May 1846.
128. MIRROR, 11 May 1846.
129. IBID.
130. IBID.
131. MONTREAL TRANSCRIPT, 14 May 1846.
132. MIRROR, 11 May 1846.
133. MONTREAL TRANSCRIPT, 14 May 1846.
134. MIRROR, 11 May 1846.
135. MONTREAL TRANSCRIPT, 14 May 1846.
136. MIRROR, 11 May 1846.
137. MONTREAL TRANSCRIPT, 14 May 1846.
138. MONTREAL TRANSCRIPT, 14 May 1846, commented: "A very able speech (accompanied by a host of statistical facts) was delivered by Mr. Gowan in the House of Assembly on Monday evening in reply to the silly twaddle constantly in the mouths of the French Canadian Members as to the injustice done to Lower Canada by the Act of Union."
139. KINGSTON NEWS, 18 May 1846.
140. MIRROR, 11 May 1846.
141. KINGSTON NEWS, 18 May 1846.
142. MIRROR, 11 May 1846.
143. KINGSTON NEWS, 18 May 1846.
144. IBID.
145. IBID.
146. MIRROR, 11 May 1846.
147. KINGSTON NEWS, 18 May 1846.
148. MIRROR, 11 May 1846.
149. KINGSTON NEWS, 18 May 1846.
150. MIRROR, 11 May 1846.
151. KINGSTON NEWS, 18 May 1846.
152. MIRROR, 11 May 1846.
153. KINGSTON NEWS, 18 May 1846.
154. IBID.
155. IBID.
156. IBID.
157. IBID.
158. MIRROR, 11 May 1846.
159. KINGSTON NEWS, 18 May 1846.
160. MIRROR, 11 May 1846.
161. KINGSTON NEWS, 18 May 1846.
162. MIRROR, 11 May 1846.

163. KINGSTON NEWS, 18 May 1846.
164. MIRROR, 11 May 1846.
165. KINGSTON NEWS, 18 May 1846.
166. IBID.
167. MIRROR, 11 May 1846.
168. KINGSTON NEWS, 18 May 1846.
169. MIRROR, 11 May 1846.
170. KINGSTON NEWS, 18 May 1846.
171. MIRROR, 11 May 1846.
172. KINGSTON NEWS, 18 May 1846.
173. IBID.
174. IBID.
175. IBID.
176. IBID.
177. MIRROR, 11 May 1846.
178. KINGSTON NEWS, 18 May 1846.
179. IBID.
180. IBID.
181. IBID.
182. MIRROR, 11 May 1846.
183. KINGSTON NEWS, 18 May 1846.
184. MIRROR, 11 May 1846.
185. KINGSTON NEWS, 18 May 1846.
186. MIRROR, 11 May 1846.
187. KINGSTON NEWS, 18 May 1846.
188. MIRROR, 11 May 1846.
189. IBID.
190. IBID.
191. KINGSTON NEWS, 18 May 1846.
192. MIRROR, 11 May 1846.
193. KINGSTON NEWS, 18 May 1846.
194. MIRROR, 11 May 1846.
195. The KINGSTON NEWS, 18 May 1846, here appended an editorial footnote stating: "We have thus given an epitome of the hon. gentleman's tables and regret much that we have not room for them in full."
196. KINGSTON NEWS, 18 May 1846.
197. MIRROR, 11 May 1846.
198. IBID.
199. IBID.
200. IBID.
201. IBID.
202. IBID.
203. IBID.
204. IBID.
205. IBID. MONTREAL COURIER, 12 May 1846, copied by BRITISH COLONIST, 22 May 1846, observed: "In the house last night Mr. Aylwin took occasion to declare his contempt of the Press of this city."
206. MONTREAL TRANSCRIPT, 14 May 1846.
207. MONTREAL GAZETTE, 13 May 1846.
208. MIRROR, 11 May 1846.
209. MONTREAL GAZETTE, 13 May 1846.

210. MIRROR, 11 May 1846.
211. MONTREAL GAZETTE, 13 May 1846.
212. MIRROR, 11 May 1846.
213. MONTREAL GAZETTE, 13 May 1846.
214. MIRROR, 11 May 1846.
215. MONTREAL GAZETTE, 13 May 1846.
216. MIRROR, 11 May 1846.
217. IBID.
218. MONTREAL GAZETTE, 13 May 1846.
219. MIRROR, 11 May 1846.
220. MONTREAL TRANSCRIPT, 14 May 1846.
221. MONTREAL GAZETTE, 13 May 1846.
222. MIRROR, 11 May 1846.
223. MONTREAL GAZETTE, 13 May 1846.
224. MIRROR, 11 May 1846.
225. IBID.
226. IBID.
227. MONTREAL GAZETTE, 13 May 1846.
228. MIRROR, 11 May 1846.
229. IBID.
230. IBID.
231. MONTREAL GAZETTE, 13 May 1846.
232. MIRROR, 11 May 1846.
233. IBID.
234. LA MINERVE, 14 May 1846.
235. IBID.
236. The debate on this motion was reported by: MIRROR, 11 May 1846, incorrectly dated as 13 May, and PILOT, 19 May 1846, in identical accounts.
237. MIRROR, 11 May 1846, incorrectly dated as 13 May.
238. IBID.
239. IBID.
240. IBID.
241. IBID.
242. This notice was reported by: MONTREAL TRANSCRIPT, 14 May 1846, KINGSTON NEWS, 18 May 1846, in identical accounts; and MONTREAL GAZETTE, 13 May 1846.
243. MONTREAL GAZETTE, 13 May 1846.
244. The following matter was reported by: MONTREAL TRANSCRIPT, 14 May 1846, and KINGSTON NEWS, 18 May 1846, in identical accounts; and MONTREAL GAZETTE, 13 May 1846.
245. MONTREAL TRANSCRIPT, 14 May 1846.
246. MONTREAL GAZETTE, 13 May 1846.
247. MONTREAL TRANSCRIPT, 14 May 1846.
248. MONTREAL GAZETTE, 13 May 1846.
249. The debate on this deferred Resolution was reported by: MONTREAL TRANSCRIPT, 14 May 1846; and MONTREAL GAZETTE, 13 May 1846, and BRITISH COLONIST, 19 May 1846, in identical accounts.
250. MONTREAL GAZETTE, 13 May 1846.
251. IBID.
252. MONTREAL TRANSCRIPT, 14 May 1846.
253. MONTREAL GAZETTE, 13 May 1846.
254. IBID.

TUESDAY, 12 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table:--

By Mr. Méthot,--The Petition of Luc Michel Cressé,
of the Parish of Nicolet, Esquire.

By Mr. Roblin,--The Petition of the Honourable James Crooks.

By Mr. Macdonald of Glengarry,--The Petition of John M'Gillivray and
others, of the Township of Charlottenburgh and Lancaster, in the County of
Glengarry.

Petition of
J. Johnston,
Esq. et al,
Referred.

Resolved, That the Petition of James Johnston, Esquire,
and others, of the District of Dalhousie, be re-
ferred to a Select Committee, composed of Mr.
Johnston, Mr. Williams, Mr. Armstrong, Mr. Hall,
and Mr. Price, to examine the contents thereof,

and to report thereon with all convenient speed; with power to send for
persons, papers, and records.

On motion of Mr. Chabot, seconded by Mr. Armstrong,

Quebec Gas
and Water
Company
Incorpora-
tion Act
Repeal Bill.

Resolved, That a Message be sent to the Honourable
the Legislative Council, to communicate to their
Honours the Documents, Evidence, and Proofs, upon
which are founded the Bills respectively inti-
tuled, "An Act to repeal the Act incorporating the
Quebec Gas Light and Water Company," "An Act for
Lighting the City of Quebec with Gas," and "An
Act for supplying the City of Quebec and parts ad-
jacent thereto with Water," as requested by their
Messages of the Eleventh instant, and to desire
that the same may be returned to this House.

Quebec
Gas Bill.

Quebec
Water Bill.

Ordered, That Mr. Chabot do carry the said Message to the Legislative Coun-
cil.

On motion of the Honourable Mr. Solicitor General Taschereau, seconded
by Mr. Chabot,

Quebec Fires.

Resolved, That this House do now resolve itself into
a Committee of the whole House, to take into con-
sideration the Message of His Excellency the Governor General, relative
to the destruction of Property by Fire in the City of Quebec.

The House accordingly resolved itself into the said Committee.

Mr. Brooks took the Chair of the Committee,¹

MR. SOL. GEN. TASCHEREAU moved that it is expedient to issue debentures
to the amount of £100,000, at the rate of £3 per cent per annum, the said
sum to be loaned to the sufferers in the Quebec fires, on due security, for
the purpose of rebuilding the houses destroyed, the said loans to bear in-
terest at the rate of £3 per cent.² He said that one-third of the city of

Quebec had been destroyed, and was not yet rebuilt, and although³, owing to the fires, the sympathy of the public both on this continent and⁴ in Great Britain⁵ had been largely excited, and a large amount had been collected for their relief, exceeding what had been expected by the inhabitants, this has been found, however, totally inadequate for the permanent relief of the sufferers.⁶ A large portion of the money thus obtained had been spent in relieving the necessities of the destitute, but the Relief Committee was prepared⁷, he believed, to grant 15 per cent on the value of the property towards rebuilding the part destroyed, but this was comparatively speaking nothing⁸ when it was considered that although the value of a small suburb house when destroyed by the fire might only have been £25, yet to rebuild that house in brick or stone as was now required would cost more than four times that sum, and this dividend of £15 would not go very far to that purpose.⁹ To give further relief to those desiring to build, the Government had come down prepared to recommend a grant of £100,000, and it would be the duty of the Government to see that it was properly invested.¹⁰

MR. BOULTON would be the last to oppose the affording of relief to the sufferers, and if he thought that the scheme proposed would effect that object, he would not oppose it; but he did not think it would. He believed that there still remained a very large sum in the hands of the relief committee, which as it was not required for the immediate relief of the indigent, they were applying for the widening of the streets and beautifying the city; if that was not the case, the statements of the papers were incorrect.¹¹ ((He)) would vote for a loan to the city of Quebec, if it was necessary, to be under the charge of the Corporation, and on their responsibility¹², for the purpose of beautifying and widening the streets, so as to prevent the recurrence of such a calamity¹³ ((and)) to restore the city to its former position,¹⁴ but he would not vote for this sum being divided directly among borrowers, because it would not be the actual sufferers who obtained the loans.¹⁵ At the present time the money subscribed for the relief of the distressed was being employed by the Relief Committee, for anything but the object the subscribers had in view, a sum having been appropriated for the purpose of widening the Streets. If it was necessary to give this money, he would prefer doing so at once as a gift, than by those small loans, which were tantamount to it, for it was beneath the dignity of a Government to demand the payment¹⁶ of £15 here and £50 there, from a number of poor people.¹⁷ But he thought it would be better to let the corporation borrow the money, and the province guarantee the interest. He considered that we might as well say it was a gift, for it is so in reality, and let us have the credit of it. He believed that it was not the working classes that were sufferers, for instead of getting 3s or 4s a-day on account of the demand for labour they are getting 6s or 7s.¹⁸ He repeated that he would vote for a loan, but it must be a loan to the Corporation of Quebec, and to no other parties.¹⁹

MR. PRES. EX. COUN. VIGER said a few words,²⁰ in favour of the motion.²¹ It was not the custom in England for the Parliament to guarantee the interest on a loan in a case like this, but to make the loan, and become responsible for its payment.²²

((Mr. Viger)) was loudly applauded by the Opposition.²³

MR. R. MACDONALD, of Cornwall, was glad to see that for once, the honourable and venerable President of the Council if not applauded was at least not hooted by the opposition. It is a bad feeling that causes members of the opposition to hoot that hoary headed gentleman; but he was glad that one instance had occurred in which altho' they did not applaud him, yet they listened with politeness.²⁴ ((He)) agreed in the remarks of the Member for Toronto. He thought the loan in small sums would be equal to a gift, and it would be better to call it so at once²⁵ ((and)) then have the credit of it.²⁶ ((He also)) agreed with Mr. Boulton, that it was better to loan this sum to the Corporation of Quebec, rather than to a number of individuals, in small sums.²⁷ He did not think that, if the Government loaned small sums that they should ever be able to obtain them back. In Upper Canada he knew that such was the case when they had loaned sums varying from £5000 to £10,000. But he believed that if the corporation were responsible for the payment of the loan²⁸ and allowed to dispose of the money as they chose²⁹ they would be able to get it back. It is a farce for the government ever to expect to be able to get repaid the money that they loan in small sums in the way proposed.³⁰ If it was to be a loan, let it be made in a business-like way to the Corporation. He was quite willing that Quebec should get the money, in one way or another³¹, ((but)) that if it were to be loaned, as now proposed, he would rather call it a gift at once, and let it be so.³² Hon. members on the other side of the House were very warm in support of this motion. If, however, a similar vote had been proposed for the city of Toronto, under similar circumstances, not one of those hon. members would have supported it.³³ The Hon. gentleman concluded by contrasting the disposition of Upper Canada to-night on a grant to Lower Canada, with that shown by the Members of Lower Canada on ... ((a)) previous evening, on the question of a concession to Upper Canada.³⁴ He also took occasion to attack Mr. Lafontaine, who, he said, thought himself the first man in the Province - which he was not.³⁵

MR. LAFONTAINE³⁶ addressed the House in French³⁷. ((He)) replied to the hon. member in a very sarcastic speech, which produced a great deal of laughter, on both sides of the House during its progress³⁸. ((He condemned)) the tone of the hon. member for Cornwall, whose indiscretion had, only the other day, cost the Government three votes on the wheat question. The hon. and learned member referred particularly ... to the charge that the French Canadian would not vote for a grant to the city of Toronto under similar circumstances; and he instanced, as a proof of their generosity, the vote to Miramichi - altho' there was no connection between them but being subjects of the same empire.³⁹ ((He)) made a good deal of fun at the expense of the Member for what he termed the village of Cornwall.⁴⁰

MR. R. MACDONALD,⁴¹ of Cornwall, never before considered that he was any thing more than the humble representative of the small and obscure village of Cornwall, but now he began to feel that he was some thing, when he had been the honored person against whom that great man the hon'ble. and learned member for Terrebonne had directed an attack for nearly half an hour, he began to feel that he was at least an inch taller. He was overcome, that so great and exalted a man, a patriot of the first water, so great an orator had attacked him. He felt honored that he should be the person attacked by so brave a man, and he had the pleasure of looking

at him, but he could not touch him, he could only look at him, as a cat may look at a King, and he had been the honored person who had drown (sic) forth a shower of smiles from that great man, who, when at the head of the Government it was complained of by his supporters, never condescended to give a side bow, let alone a smile; and which was one of the means of his downfall, for shortly after that, he met his downfall. This attack has been long treasured up, the hon. member for Terrebonne, has said to himself that he would annihilate him, that he would do him up, that he would demolish him and leave nothing but a grease spot, as our friends on the other side of the line say. He was sure that it had been long laid up in store, as a rod in pickle for a bad child; but it had been kept so long that it has become spoilt. He believed that he had as much christian charity as the hon. member for Terrebonne, who sits so cosily by the hon. member for the North Riding, and who he was so willing to throw overboard or put on the shelf. The hon. member for Terrebonne says that he accused him of sleeping, so he did and he would repeat it, that on a recent occasion, not one word, not a sign escaped him, when the vital interests of the country were involved.⁴²

MR. LAFONTAINE remarked that he never spoke on a subject but when he understood it.⁴³

MR. R. MACDONALD continued, we will then hear him but very seldom, and he would congratulate this House, on the subject. He has said that my conduct has lost votes to the ministry; if such was the case, he would tell both him and the Administration that those votes were of little worth, when any conduct of his could occasion their loss; they would never do the Administration any good; if they were to depend on such votes, they were leaning on a rod that would (sic) pierce them; their doom would be irrevocably fixed if they put any such reliance on a broken weed. The hon. member calls Cornwall a village, and says that Sherbrooke contains no constituency, he would ask who there was that lived in Terrebonne,⁴⁴ in the name of God?⁴⁵ Who was ever heard of out of Terrebonne, how many newspapers are there published in it; well in Upper Canada there is not a County or even a village but what has its newspaper, even the small and obscure village of Cornwall has one.⁴⁶

MR. JOHNSTON here called the hon. member to order, he was speaking of subjects altogether irrelevant to the matter before the House.⁴⁷

A good deal of clamour was excited when Mr. Johnston rose⁴⁸.

The Chairman, MR. BROOKS, ... ((decided)) that the hon. member was as much in order as hon. members generally were.⁴⁹

MR. ARMSTRONG ((replied to Mr. Rolland Macdonald)) - The Hon. Joseph Masson, one of the largest merchants of the city is from Terrebonne.⁵⁰

MR. R. MACDONALD. - Well there may be Mr. Masson, but he is only one exception, and the very exception proves my rule, but he might have gone there because he felt himself a monkey among kings and because he wished to be a king among monkees.⁵¹ He accused the Member for Terrebonne of having made an attack upon him in a language which he did not understand well, and that in doing so, he had acted in a cowardly manner.⁵²

MR. LAFONTAINE said, that he would not allow such a term to be used to him.⁵³

MR. R. MACDONALD repeated it, he said the⁵⁴ conduct of the member for Terrebone (sic), has been cowardly in the extreme, but it is just what we might expect from him⁵⁵. ((He)) was a coward ((who))⁵⁶ attacked me in French, a language which I but very imperfectly understand, but it was just such as might be expected from a man who urged⁵⁷ ((and)) led other⁵⁸ unfortunate individuals on⁵⁹ to rebellion, for which they⁶⁰ ultimately⁶¹ died on the gallows in this city⁶². He thought he could attack me with impunity but he calculated then without his host; he (Mr. M'D.) never spoke freely before, he did so now, because that word "hear, hear," and that worse one "order" were especially startling to him at the first, but now he had overcome the difficulty; and at the last session, he had feared to speak in case he might injure the ministry, but now they are so strong that they cannot be injured, even by an attack from that man who after having urged others on to rebellion, left it when it became dangerous to abler hands, and remained at home at his fireside,⁶³ in peace and quietness.⁶⁴

MR. SCOTT would ask him for the proof of that fact.⁶⁵

MR. R. MACDONALD. - The proof is in black and white, all his conduct for years before tended to that end, and when the time came he shrunk back.⁶⁶ He, (Mr. M'D.) would tell him that he would rather represent the smallest in Canada than the County of Terrebonne, with the blood of those men upon his hands, - blood which would one day be demanded of him.⁶⁷ He hoped that the hon. member for Terrebone (sic) would recollect the ground on which he stands, if this was never told to him it was not but what it could be told, but from a sense of delicacy on the part of the members, a delicacy which he should never again feel; he intended to have adverted to one or two more matters, and to have shewn the hon. member completely up, but out of respect for the time of the House he would let him alone for the present; but there is one matter before he finished (sic) and then he was done with him, he said that certain persons had put him down doubtful, but he thought from the votes he had given that there could be but little doubt on the subject, perhaps not to the satisfaction however of the hon. members for Terrebone (sic) and the North Riding; but to the question before the House (hear, hear) he would like to see the money presented as a gift rather than a loan as it would never be paid, and we might as well have the credit of the gift.⁶⁸

MR. HALL hoped the time would come when we could discourse on a subject without so much angry feeling and bickering as we have had lately. He considered this a matter of pounds shillings and pence⁶⁹. If the Government were able and ready to advance the money, he was willing to vote for it; but he would certainly like to have seen the thing done in a more business-like manner,⁷⁰ and he thought this would be through the Corporation. He was averse also to the money being lent at less interest than it was borrowed at, that would be to sink the whole sum at once, for the expenses of commission of management would be very great.⁷¹ He would like to see it lent at the legal interest⁷².

MR. CHAUVEAU. - Although he had not a very high opinion of the hon. member for Cornwall, he could not concur in all that he had said against himself, for he (Mr C.) was sure that the hon. member had never been so much abused by others as he had abused himself. - In one thing however he

concurred with him, that he was sorry that the hon. and learned member for Terrebonne had devoted half an hour to an attack on the mem. for Cornwall. In respect to the question it is one on which there can be no difference of opinion, he was about thanking the Administration as he thought it was a measure calculated to be of the greatest good. It has been stated that there are large sums of money in the hands of the relief Committee, it was true, and he was sorry that he could not say all that he would like said on this subject.⁷³

MR. MOFFATT hoped that he would state what prevented him from speaking; he was a member of the relief Committee; and he would like to know whether they had been applying the money in their hands to widen the streets of Quebec.⁷⁴

MR. CHAUVEAU continued, there was a resolution passed by the Committee that fifteen per cent should be granted for the widening of the streets but⁷⁵ no part of the money subscribed had been as yet applied to ... ((this purpose)), and as the Committee of Relief was in the habit of rescinding at one meeting all that was done at the other, it was probable none would be so applied. If it were not for the feelings of party which he feared to excite,⁷⁶ by going into the particulars of differences which had taken place, he could explain the affair in a manner that would create astonishment.⁷⁷ He could show that a pledge for giving up a portion of land for widening the streets had been demended, before any relief was afforded.⁷⁸ He said that party spirit was exercising its baneful influence on the proceedings of the Committee. The hon. member for Cornwall has said that the money would never be paid, if he knew the honest and enterprising laborers he would never say that.⁷⁹

MR. R. MACDONALD said that he did not mean that the people of Quebec any more than others would not pay, it had been found in Upper Canada that they would not pay.⁸⁰

MR. CHAUVEAU. - He was happy to see that nothing offensive was implied, for there were so many offensive things in his speech that he had made up his mind to set it all down as offensive.⁸¹ He expressed his thanks to Ministers for their conduct, and in doing so, only expressed the feelings of his constituents. He would say that if the House could only know the gratitude with which the poor people of Quebec had received the contributions sent from Great Britain - how they had forward a short time after when they heard of the probability of war between that country and the United States,⁸² on the occasion of the Oregon ((question)) assuming a serious aspect,⁸³ to offer their services in a volunteer corps, and lastly, how abashed they were at the idea of receiving assistance - if they could only know all these things, he said, they would not hesitate to prefer their personal security, to that of the Corporation of Quebec.⁸⁴ He felt sure that their feelings of gratitude would be enough to make them repay the money.⁸⁵

MR. DRUMMOND deprecated exceedingly the course which had been taken by the hon. member for Cornwall, in attacking the hon. member for Terrebonne; he deprecated it because the hon. member was supported⁸⁶ and ... justif((ied))⁸⁷ in all his acts by every member on that side of the House, and they could

not fail to feel deeply hurt by such insulting language as had been used towards their leader.⁸⁸ He (Mr. D.) desired that the people of both sections of the Province would unite for the public good, and that a spirit of union, concord and fraternity should prevail among the members of this House.⁸⁹ While he made these remarks in reference to the speech of the hon. member for Cornwall, he desired to take the opportunity of expressing his sincere regret at what had taken place on his own side of the House on a preceding evening. When the hon. member for Quebec had made use of the terms "bankrupts and beggars", in reference to Upper Canada, he (Mr. Drummond) was satisfied that the hon. gentleman had intended nothing offensive - that he had only intended to express the well known fact, that Upper Canada was deeply involved in pecuniary liability, - nevertheless, it was an expression which ought never to have been used, and which could not be too strongly condemned. For his own part, he had always endeavoured, as much as possible, to avoid every thing that might irritate the feelings of gentlemen on the other side, and he knew that his friends frequently abstained from reply, rather than say anything that would give rise to angry feeling. He hoped the same consideration would be extended to them; but, if it were not, and if Mr. Lafontaine's conduct were again alluded to, he would think it no more than a duty to himself and to that hon. gentleman to go into a history of the transactions alluded to, in order to expose the view he (Mr. Drummond) took of them.⁹⁰

MR. R. MACDONALD (Cornwall) replied that he hoped the practice which was recommended by the hon. member for Portneuf would be followed by himself and his party, if they would refrain⁹¹ from the bitter personal remarks that they are in the habit of constantly uttering against the venerable President of the Council and the hon. member for Ottawa,⁹² he would answer for it that the same forbearance would be shown by his (Mr. M'Donald's) side of the House⁹³, ((and)) he would promise that he would never make a personal attack on the hon. member for Terrebonne.⁹⁴

MR. AT. GEN. DRAPER had thought that no subject could have been brought before the House which would have developed the kindly sympathies of humanity in a greater degree, or would have gone further to prevent the introduction of acrimonious feeling than the one now under discussion. He regretted that anything had occurred on either side of the House which could appear, or be made to appear, like an attempt to prevent the Legislature from doing as a body⁹⁵, unanimously⁹⁶, what individuals throughout the Province and throughout the British Empire had done - he referred to the manifestation of kindly feeling toward the sufferers at Quebec.⁹⁷ It was with a desire to follow up in the same spirit the relief which had already been given, that the present measure was introduced, and that the Government after the second fire, had apprised the people of that city that they were prepared to take upon themselves the responsibility, not of preventing starvation only, but even providing the means of restoring that which had been destroyed. It was in this spirit he said that the hon. member for Dorchester⁹⁸ had introduced the Resolution before the House, and he must say he was not a little surprised, that so unfortunate a discussion should have occurred (sic), in which the number of sufferers had been lost sight of, and attention had been directed rather to those subjects which he thought had been by common consent banished on a preceding evening, and to which he alluded only to

deprecate any further return to them. He begged hon. members to ask themselves whether they would not do the House and their constituents more justice - whether they would not raise their own characters as individuals and as representatives⁹⁹ of the people of Canada¹⁰⁰ in a greater degree, by taking a different and more moderate course. He was glad to find - indeed he might safely have anticipated that no person would have withheld his sympathies from the sufferers, or have failed to desire to do all that lay in his power to remedy the evil. On that point there could be only one opinion, the difference between members consisted only in the modus operandi. I will, therefore, said the honble. gentleman, explain why I think the Government measure a better mode of carrying out our designs than that proposed by the hon. member for Toronto. That honourable member desired to grant this guarantee on the faith of the Corporation of Quebec; now, if he (Mr. D.) wanted any argument against that plan before he heard the honourable member who spoke ... ((above, Mr. Chauveau)), he had heard enough from that honourable member to convince him that the Government were right. If in a Committee, on which he recognized the names of clergy and other gentlemen of all sects, races, and parties, the House had been told that party spirit prevailed, how much more might it be expected to exist if the distribution of the loans were entrusted to the hands of a Corporation? With regard to the value of the guarantee, he must say with the honourable member¹⁰¹ for the county of Quebec, that¹⁰² he would much prefer the security of the man to whom they were going to advance an assistance which would enable him to rebuild his house, and who would say to the lender, "Yes! I thank you for this loan, and I will faithfully repay it." He could appeal even to the honourable member for Cornwall, to say whether in Upper Canada those loans had been best repaid which had been granted to Corporations. Then, with regard to making this grant a gift, instead of a loan, he had to say that he thought it was misfortune enough for an honest, independent man to lose his all, without being reduced to look upon the assistance afforded to him a charity. Every man who knew the value of independence knew it was humiliating enough to ask for relief, however little his misfortunes were to be attributed to himself, and however the generous contributions of the community and of the Mother Country had taken away all the degrading sense of obligation, and had even tended to elevated (sic) rather than to depress the feelings of the recipients.¹⁰³ So he would desire to avoid any thing that might tend to decrease that feeling.¹⁰⁴ As to the difference between the interest to be paid and that to be received, he would only say, that the whole amount would be less than Lower Canada had in one year given to the sufferers at the Miramichi conflagration.¹⁰⁵

MR. BOULTON believed that he had said nothing that could lead to any discussion, what he proposed was, that if it was necessary that funds should be obtained to loan to sufferers to enable them to rebuild, that the corporation should be authorised to borrow the money, the Province guaranteeing the interest; there would then be a probability of it being repaid. He said that he found a resolution of the relief committee in one of the Quebec papers, by which they proposed to appropriate some of the monies in their hands for widening the streets¹⁰⁶. ((He)) read ((this resolution)) from the proceedings of the Relief Committee¹⁰⁷. He thought that ... ((the resolution)) was contrary to the intention for which the

money was subscribed.¹⁰⁸ He believed that if this money were lent out to individuals in the manner proposed, instead of the poor being benefited by it, it would be only the rich; it would give an impetus and encouragement to speculation in lots, those lots having a claim to a loan would be bought up, and in a short time the whole real estate of Quebec would be in the hands of the wealthy.¹⁰⁹ If there was so very great an objection to the corporation, then put it in the hands of persons for distribution, who would not use it for political purposes. He did not want to make the Government stock jobbers.¹¹⁰ He was perfectly willing to relieve the distressed, but there was no information before the House how many houses were destroyed, or what per centage on the loss this sum would pay. There was now £100,000 in the hands of the Relief Committee, another £100,000 was proposed to be given; it was said that 2000 houses were destroyed, that would be £100 per house, or on an average double what houses in such a situation are worth. He moved in amendment, that the interest of the said sum should be guaranteed by the Government, for the space of 20 years; the loans to be made by the Corporation of Quebec, and on its responsibility.¹¹¹

MR. CHAUVEAU ((spoke a few words in explanation)).¹¹²

MR. CAUCHON saw great objection to placing the sum of £100,000 in the hands of the corporation of Quebec, he was also opposed to authorising the corporation to borrow the sum proposed, on the province guaranteeing the interest. He said that the city of Quebec was now in debt to the amount of £42,000 and that the revenue was only £3,500, how then could they even be able to pay the £100,000 if they borrowed it?¹¹³ The Corporation(('s')) ... revenues were by the fires reduced to two-thirds, and it would not, therefore, be safe to trust so large a sum of money to the Corporation.¹¹⁴

MR. BALDWIN, in no city did he feel more interest than that of Quebec, excepting his own native city; he agreed entirely in the remarks of the learned Attorney General, and he was prepared to support the proposition of the Solicitor General East. He felt sure that should a fire occur in Upper Canada, the same interest would be felt by the Lower Canadians as had been manifested on the occasion of the late disastrous fires by those of Upper Canada.¹¹⁵

MR. MOFFATT¹¹⁶ thought time ought to be afforded for the consideration of the matter; he was inclined to support the amendment of the member for Toronto.¹¹⁷ He considered the Corporation the proper body to distribute the loan, and the proper distribution and security might be provided for in the Act granting the same.¹¹⁸ He had the same objection to the Government as had been urged against the corporation. He did not think that the rate of interest ought to be limited to 5 per cent.¹¹⁹ He saw no reason why the borrowers should not pay the same amount of interest as the Government, but he was very doubtful if the Government itself could borrow it for £5 per cent.¹²⁰ He was confident that money could not at present be borrowed at that rate¹²¹ without a large discount being allowed, which would, of course, make a deduction from the amount loaned to each person, if the debentures were to be distributed among the sufferers, to be disposed of by them.¹²²

MR. ERMATINGER, the question is not whether we should afford relief

to the destitute, but whether we should build up the city of Quebec. If the destitute sufferers are to be by any means benefited by this measure, he thought that the corporation would be far better judges how to administer it, than the Government, he believed that mischief instead of good would arise out of the scheme of the corporation.¹²³

MR. INSP. GEN. CAYLEY said that the parties who were now suffering from their losses at the Quebec fires were the proprietors, not the labourers. The latter were, in fact, getting enormous wages,¹²⁴ ((and)) might in reality be said to be the gainers, because the wages were nearly double what they were before¹²⁵, which more than compensated for the loss that they had sustained, while that very advantage was an additional loss to the proprietors, who had to rebuild with labour and materials at exorbitantly high prices.¹²⁶ It was the land holders who were the real and permanent sufferers.¹²⁷

MR. BOULTON then withdrew his motion.¹²⁸

The original resolution ((was)) carried.¹²⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Brooks reported that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Message from
Legislative
Council.

*A Message from the Legislative Council, by John
Fennings Taylor, Esquire, one of the Masters in
Chancery.*

Ferries Bill,
(U. C.)

MR. SPEAKER,

The Legislative Council have passed the Bill, intituled, "An Act to explain and amend a certain Act therein mentioned, and to make further provision concerning Ferries in Upper Canada," without any amendment.

And also,

The Legislative Council have passed the following Bills, with amendments, to which they desire the concurrence of the Assembly.

Bank of Upper
Canada Charter
Bill.

"An Act to amend an Act, intituled, 'An Act to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof.'"

Midland District Bank
Charter Bill.

"An Act to amend an Act, intituled, 'An Act to extend the Charter of the Commercial Bank of the Midland District, and to increase its Capital Stock.'"

Common
School Bill,
(U. C.)

"An Act for the better establishment and maintenance of Common Schools in Upper Canada."

And then he withdrew.

Messages from
Governor
General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker two Messages, from His Excellency the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:--

CATHCART.

Quebec and
Halifax
Railroad.

The Governor General recommends to the consideration of the Legislative Assembly, the expediency of granting a sufficient Sum of Money to defray the expense of a Survey and Estimate for the construction of a Railroad from Quebec, the South Eastern Boundary of the Province, to be connected with a Railroad, passing through New Brunswick to Halifax, in accordance with the views of the Imperial Government; and also to procure a report of such statistical or other information as may fully justify the Legislature of Canada, in co-operating with the Legislatures of the Provinces of Nova Scotia and New Brunswick, in the prosecution of a work of such general importance.

GOVERNMENT HOUSE,
12th May, 1846.

DOWNING STREET,
18th April, 1846.

(Copy,) No. 55.

MY LORD,

I have the honour to transmit to you the accompanying copy of a Despatch with its enclosures, which I have had occasion to address by this Mail, to the Lieutenant Governor of Nova Scotia, upon the subject of the employment of Officers of the Engineer Corps on the survey of the Provinces in British North America, through which the projected line of Railroad between Halifax and Quebec and Montreal may pass.

I have &c.,
(Signed,) W. E. GLADSTONE.

Governor General,
the Right Honourable
the Earl CATHCART.

DOWNING STREET,
18th April, 1846.

MY LORD,

I have to acknowledge the receipt of your Lordship's Despatch of the 2nd of April, No. 22, in which you inclose an Address to the Queen from the House of Assembly of Nova Scotia, together with certain Resolutions of that House, on the subject of the projected Railroad from Halifax to Quebec and Montreal.

You will I think concur with me in the opinion, that it would at present be premature to enter upon the consideration of the request of the House of Assembly, that the money which may be voted by the House of Commons for the construction of a Military Road, through the British Provinces

of North America, should be devoted instead to the formation of a Railway. Whenever the survey, which it is essential should be first undertaken, shall be completed, I shall be prepared to offer my advice to the Queen as

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to the course which it may be proper to take in reference to the request of the Assembly for the appropriation of these funds to the Railroad.

I am happy to inform you by this early opportunity, that I have recommended the Lords Commissioners of the Treasury to give their sanction to the employment of Officers of Engineers on the Survey in Nova Scotia, and the neighbouring British Provinces, for which the House of Assembly has pledged itself to provide, and that instructions in accordance with my wishes on this subject, have been given by their Lordships to the Master General and Board of Ordnance, who will communicate with their Officers in North America. I enclose for your information, the copy of a letter which has been addressed by my direction to the Lords Commissioners of the Treasury, together with copies of two letters addressed by their Lordships to the Board of Ordnance, and have to add that I shall hope to be able to make known to your Lordship, at a future and not distant time, the matured intentions of Her Majesty's Government with respect to this Survey.

I have, &c.,
(Signed,) W. E. GLADSTONE.

Lieut. Governor
Viscount FALKLAND,
&c. &c. &c.

(Copy.)

DOWNING STREET,
16th April, 1846.

SIR,

The project of a Railroad between Halifax and Quebec, having excited considerable attention in the British Provinces in North America, as well as in this Kingdom, Mr. Secretary Gladstone has been in communication with the Governor General of Canada, and the Lieut. Governors of the Provinces concerned in this undertaking, on the preliminary points which it is necessary to determine before any active proceedings can be adopted for the construction of such an important work. Mr. Gladstone having, by the Mail which arrived yesterday, received from the Lieut. Governor of Nova Scotia, a Despatch enclosing an Address to the Queen, from the House of Assembly of that Province, with resolutions pledging the House to provide for the expense of the Survey of those parts of Nova Scotia through which it is expected that the Railway would pass, has directed me to request you would represent to the Lords Commissioners of the Treasury, that as Her Majesty's Government consider the proposed enterprize an object of general as well as Provincial importance, they are desirous of affording their co-operation to the House of Assembly of Nova Scotia, in the requisite preliminary measure for which that House has now pledged itself to provide. It will not, however, be sufficient, to restrict the proposed Survey only to Nova Scotia. Mr. Gladstone does not doubt that the people of Canada and New Brunswick, have been equally animated by a desire to aid in the formation

of some great chain of communication by Railway, between the several Provinces, and (although their Legislatures have not, so far as he is at present aware, adopted proceedings corresponding with those of the Legislature of Nova Scotia,) he considers that it will not, on that account, be proper to withhold from the former Provinces, the advantage of the Survey which will be afforded to Nova Scotia. The season during which this work can be executed, being necessarily very limited, it would not be advisable to defer its commencement, and Mr. Gladstone would therefore impress upon the Lords Commissioners of the Treasury, the expediency of an immediate intimation being made to the Board of Ordnance of the wishes of Her Majesty's Government, that instructions should be conveyed by the ensuing Packet, to the Commanding Engineer in the British Provinces in North America, to depute such Officers of that Corps to undertake the Survey in question, as may be selected by the Master General and Board of Ordnance, for that purpose.

I am further to request that the Board of Ordnance may be distinctly apprized that to render this Survey adequate to its object, it will be necessary to examine the question where the Port of Embarkation for England would most properly be fixed, having regard to the convenience of the public, the purposes of despatch, and the general safety of the Port and terminus in time of War.

Mr. Gladstone hoped to be enabled before the next Packet to consider, in connection with the Master General and Board of Ordnance, the specific instructions which it may be proper to give to these officers.

I am, &c.
(Signed,) JAS. STEPHEN.

C. E. TREVELYAN, Esq.
&c. &c. &c.

(Copy.)

TREASURY CHAMBERS,
17th April, 1846.

SIR,

I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Master General and Board of Ordnance, that a desire having been expressed by the Legislature of Nova Scotia to establish a Railroad between Halifax and Quebec, and to have the best opinion as to the line which it would be expedient to adopt, their Lordships consider it to be an object of general, as well as Provincial importance, that the best line should be selected; and they therefore request the Board of Ordnance to give to the Legislature of Nova Scotia the assistance of such Engineers at present in North America, as they may consider qualified for this duty, and to send out to them orders to place themselves without delay in communication with the Governor General of Canada, and the Lieutenant Governors of Nova Scotia and New Brunswick, for the purpose of effecting such a Survey as may enable them to form a judgment as to the line most expedient to be adopted.

I have, &c.
(Signed,) C. E. TREVELYAN.

The Secretary to the Ordnance.

(Copy.)

TREASURY, 18th April, 1846.

SIR,

With reference to my letter, dated the 17th instant, on the subject of the Survey of the proposed Railroad between Nova Scotia and Canada, I am commanded by the Lords Commissioners of Her Majesty's Treasury, to transmit for the information of the Master General and Board, a copy of a letter from Mr. Stephen, dated the 16th instant, stating the wish of Her Majesty's Secretary of State for Colonial affairs, that the Survey in question should embrace a comprehensive plan of communication between the Provinces of Nova Scotia, New Brunswick and Canada, and adverting to certain points to which attention is particularly required; and I am to request that you will move the Master General and Board to send instructions by the Mail about to leave England to the Officers of the Royal Engineers in the three Provinces above mentioned, to take early and effectual steps to carry Mr. Gladstone's wishes into effect, in communication with the Governor General of Canada, and the Lieutenant Governors of Nova Scotia and New Brunswick.

I have, &c.

(Signed,)

C. E. TREVELYAN.

R. BYHAM, Esq., &c.&c.&c.

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Duty on Grain.

CATHCART.

The Governor General transmits for the information of the Legislative Assembly, a copy of a Despatch which he has received from Her Majesty's Secretary of State, communicating the reply which the Secretary of State is commanded by the Queen to make to the Address of the 26th March last, to Her Majesty, from the "Commons of Canada in Provincial Parliament assembled."

GOVERNMENT HOUSE,
12th May, 1846.

(Copy.)

No. 56

DOWNING STREET,

18th April, 1846.

MY LORD,

I have received and have laid before the Queen the Address to Her Majesty from the "Commons of Canada in Provincial Parliament assembled," dated 26th March, 1846, and enclosed in Your Lordship's Despatch of the 27th of the same month, (No. 30.)

I have received the Queen's commands to instruct Your Lordship to convey to the House of General Assembly the assurance of Her Majesty's gracious desire and intention to pay every regard to the commercial interests of Canada, even in the consideration of measures which must be regarded as mainly and properly appertaining to the internal condition of this country, which may be compatible with justice to other classes of her subjects.

I am further commanded by the Queen to state, that having consulted Her confidential advisers on the questions brought under Her notice in this

Address, and having been pleased to approve and adopt the opinions submitted to Her by them on that subject, Her Majesty has directed me to explain to Your Lordship those opinions as comprising the substance of the answer, which Her Majesty has to return to the Address of the House of Assembly.

As respects the question immediately affected by the Address, Her Majesty's Government are of opinion, that the reduction of the duty on Canadian Wheat, from 1s. to 1d., would fail to have the effect which the Assembly have, it is probable, anticipated and desired. Use and convention, rather than any abstract principle, have established the rule, that in the Customs Law of this Country one shilling per quarter shall be regarded as the standard of a nominal or register duty upon corn. To reduce the charge upon Foreign Corn to a rate corresponding with this description, Her Majesty's Government stands pledged to Parliament; and if Her Majesty's Government were to concede the request which is preferred, the effect would not be the establishment of a minute preference, amounting to 11d. per quarter in favour of Canadian Grain, as against the Foreign article, but it would, without a doubt, be this, that the same reduction would be applied by Parliament to Foreign Grain also, and an entire equality between the two would thus be still maintained. For this reason Her Majesty's Government are of opinion, that it would not be expedient to propose to Parliament the alteration which it is the object of the Address to recommend.

I have, &c.
(Signed,) W. E. GLADSTONE.

Lieutenant General
The Earl CATHCART,
K. C. B.

Crown Lands
Department.

The Honourable Mr. Papineau, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

Report of the Commissioners appointed to enquire into the state and organization of the Crown Land Department.

(For the said Report, see Appendix E.E.)

Message from
Governor
General.

The Honourable Mr. Cayley, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

Revenue and
Estimates.

CATHCART.

The Governor General transmits to the Legislative Assembly, a Statement of the probable Revenue and Expenditure of the Province, during the year ending the 31st December, 1846, together with an Estimate of the sums required for the Service of the same year; and, in conformity to the provisions of the 57th clause of the Union Act, he recommends these Estimates to the House of Assembly.

GOVERNMENT HOUSE,
Montreal, 12th May, 1846.

(For the Estimates accompanying the said Message,
see Appendix C.)

Duty on Wheat
and Flour.

The Honourable Mr. Robinson, from the Select Committee appointed to prepare and report the draught of of an humble Address to the Queen's Most Excellent Majesty, praying that, in case any change is made in the Law regulating the admission of Foreign Wheat and Flour into the British Markets, due regard may be had to the interests of Her Majesty's subjects in this Province, presented to the House the Address prepared by the said Committee, which Address was again read at the Clerk's table, and agreed to by the House, and is as followeth:--¹³⁰

Address to
Her Majesty.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and Loyal Subjects, the Commons of Canada, in Parliament assembled, respectfully beg leave to address Your Majesty, on a subject of the highest importance to the inhabitants of this Province.

We assure Your Majesty, that while we have seen with unmingled satisfaction, the happiness and prosperity of the people of this Colony advancing in steady and successful progression, under that moderate system of Protection of her staple productions, Grain and Lumber, which Your Majesty, and Your Imperial Parliament have hitherto graciously secured to them, we feel that we should be wanting in our duty, as well to Your Majesty, as to our Constituents, did we fail earnestly to represent to Your Majesty, that we view with serious apprehension and alarm, as detrimental to the best interests of this Colony, the adoption of the proposed principle of commercial intercourse, now under the consideration of the Imperial Parliament.

We cannot but fear that the abandonment of this Protective Principle, the very basis of the Colonial Commercial System, is not only calculated materially to retard the Agricultural Improvement of the Country, and check its hitherto rising prosperity, but seriously to impair our ability to purchase the Manufactured Goods of Great Britain, a result alike prejudicial to this Colony and the Parent State.

We feel grateful to Your Majesty for enabling us, by guaranteeing the payment of £1,500,000, to undertake many valuable Public Improvements, which are now approaching to completion, and which, under the existing Law, would ultimately prove productive; but should the Duties on Foreign and Colonial Produce, entering the United Kingdom, be assimilated as at present proposed by Your Majesty's Imperial Government, it is much to be apprehended, that

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the Agriculturists of this Province will be deprived of a fair and remunerative price for their surplus produce, and that, consequently, the increase of our staple products which was reasonably anticipated, will be checked to such an extent, as materially to lessen the prospect of our Canal and other Public Works, proving as productive as we had reason to expect.

We respectfully represent to Your Majesty, that, situated as Canada is, and with a climate so severe as to leave barely one-half the year open for intercourse by the St. Lawrence with the Mother Country, the cost of transporting her products to market, is much greater than is paid by the inhabitants of the United States, and that, without a measure of protec-

tion or some equivalent advantage, we cannot successfully compete with that country.

It, therefore, becomes our duty, as faithful subjects of Your Majesty, to point out what we sincerely believe must be the result of measures which have for their object the repeal of the laws affording protection to the Canadian Export Trade. First, it will discourage those at present engaged in Agricultural pursuits from extending their operations. Secondly, it will prevent the influx of respectable Emigrants from the Mother Country, who have for many years past settled in large numbers on the Waste lands of the Province, and who, by their industry and capital, have materially contributed to that rapid advancement of the Country which we have before noticed. And, lastly, it is much to be feared, that, should the inhabitants of Canada, from the withdrawal of all protection to their staple products, find that they cannot successfully compete with their neighbours of the United States, in the only market open to them, they will naturally and of necessity begin to doubt, whether remaining a portion of the British Empire, will be of that paramount advantage which they have hitherto found it to be. These, we humbly submit, are considerations of grave importance, both to Your Majesty and the people of this Province, and we trust we need not assure Your Majesty, that any change which would tend in the remotest degree to weaken the ties that have for so many years--and under trying circumstances--bound the people of Canada to that Land which they are proud to call their Mother Country, would be viewed as the greatest misfortune which could befall them.

We would further remind Your Majesty, that while, in compliance with the recommendations of the Imperial Government, we have passed a law repealing all duty on American Produce, coming through our Country for exportation, no similar advantage is accorded by the American Government to the people of this Province; but that duties, amounting in most cases to prohibition, are rigorously maintained by that Government on every article of ours entering into their Ports. The disadvantage we must labour under in this respect, is so apparent, that we respectfully request Your Majesty will be pleased to cause the necessary steps to be taken for opening a negotiation with the Government of the United States, for the admission of our products into their Ports, on the same terms that theirs are admitted into those of Great Britain and this Colony.

We also humbly request, that Your Majesty will favourably consider the justice of admitting the products of this Province, generally, into the Imperial Ports free of duty, as the expense of transportation, is in itself, all the protection which our fellow subjects in the United Kingdom can reasonably expect, as respects the imports from a Colony situated at such a distance from the Mother Country, and with Ports closed to commerce for so large a portion of the year; and we the more confidently appeal to Your Majesty's justice upon this point, as the relief that we seek, in this particular, is in strict accordance with the very principles upon which the changes that we deprecate are based, as well as to the assurance received through Your Majesty's Secretary of State, that it is the desire of Your Majesty's Government that the Trade of Canada should, in all respects, approach as nearly to perfect freedom, as the wishes of its inhabitants and the exigencies of the public Revenue may permit.

While the subject that we have brought under the notice of Your Majesty,

embraces other points requiring the gravest deliberation, and calling for the most favourable consideration on the part of the Imperial Authorities; Your Majesty's faithful Commons have felt it to be their duty to Your Majesty, to the Imperial Parliament, and the Mother Country, and to their own Constituents, to lose no time in at once approaching Your Majesty, with the declaration of their views upon that part of it embraced in their present Address, and to which, renewing their assurance of devoted attachment to Your Majesty's Person and Government, they earnestly entreat Your Majesty's most gracious and favourable consideration.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause the humble Address of this House to Her Most Gracious Majesty the Queen praying that in case any change is made in the Law regulating the admission of Foreign Wheat and Flour into the British Markets, due regard may be had to the interests of Her Majesty's Subjects in this Province, to be transmitted to Her Majesty's Government to be laid at the Foot of the Throne.

Ordered, That the said Addresses to Her Majesty, and to His Excellency the Governor General, be Engrossed.

Ordered, That the said Addresses be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Railroad Bills. The Honourable Mr. Robinson, from the Select Committee on Railroad Bills, with power to report from time to time, presented to the House the Sixth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Montreal and Kingston Railroad Bill. Your Committee have had under their consideration the Bill to Incorporate "the Montreal and Kingston Railroad Company," and have made several amendments thereto, which they submit to your Honourable House.

Montreal and Lachine Railroad Bill. Your Committee have also considered the Bill to incorporate "the Montreal and Lachine Railroad Company," referred to them, and have made several amendments thereto, which they also submit to your Honourable House.

On motion of the Honourable Mr. Robinson, seconded by Mr. Macdonell of Dundas,

Montreal and Lachine Railroad Bill. Ordered, That the Bill to incorporate "the Montreal and Lachine Railroad Company," as reported by the Select Committee on Railroad Bills, be committed to a Committee of the whole House to-morrow.

On motion of the Honourable Mr. Robinson, seconded by Mr. Macdonell of Dundas,

Montreal and Kingston Railroad Bill. Ordered, That the Bill to incorporate "the Montreal and Kingston Railroad Company," as reported by the Select Committee on Railroad Bills, be committed to a Committee of the whole House, to-morrow.

Etobicoke
Road Bill.

Mr. Boulton, from the Select Committee to which was referred the Bill to incorporate certain persons under the name of "the Etobicoke and Monro Sixth Line Road Company," reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at

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the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House to-morrow.

Printed.

Mr. LeMoine moved, seconded by Mr. Murney, that five hundred copies of the Report of the Commissioners appointed to enquire into the state and organization of the Crown Land Department, be printed for the use of the Members of this House.

Mr. Hall moved in amendment, seconded by Mr. Macdonald of Kingston, that the words "five hundred" in the said motion be struck out, and the words "one thousand" substituted.

The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to by the House, and

Ordered, Accordingly.

On motion of Mr. Boulton, seconded by Mr. Macdonald of Kingston,

Bank of Upper
Canada Char-
ter Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to amend an Act intituled, 'An Act to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof,'" be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration;

And the said amendments were read, and are as followeth:--

IN THE BILL.

Line 25.--Leave out from "and" to "debts," in line 33 both inclusive.

IN THE PREAMBLE.

Line 6.--After "prayer" insert "to the extent hereinafter mentioned."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Boulton do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Macdonald of Kingston, seconded by Mr. Hall,

Midland Dis-
trict Bank
Charter Bill.

Ordered, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to amend an Act intituled 'An Act to extend the Charter of the Commercial Bank of the Midland District,"

and to increase its Capital Stock," be now taken into consideration.

The House proceeded accordingly, to take the said amendment: into consideration;

And the said amendments were read, and are as followeth:--

IN THE BILL,

Line 34.--Leave out from "and," to "debts," in line 40, both inclusive.

IN THE PREAMBLE,

Line 9.--After "prayer," insert "to the extent hereinafter mentioned."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Macdonald of Kingston, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. Laterrière, seconded by Mr. Christie,

Address, Saguenay Fire.

Resolved, That an humble Address be presented to His Excellency the Governor General, conveying to him the thanks of this House, for His Message to this House, of the Eleventh instant, relative to the recent extensive and destructive fire, in the County of Saguenay.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House, as are of the Honourable the Executive Council of this Province.

Nicolet Registry Office Bill.

Ordered, That Mr. Méthot have leave to bring in a Bill to provide for the removal of the Registry Office, of the County of Nicolet, from the place where it

is now held, to Bécancour.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Yamaska Circuit Court and Registry Office Bill.

Ordered, That Mr. Méthot have leave to bring in a Bill to provide for the removal of the place of holding the Circuit Court and the Registry Office, in the County of Yamaska, from La Baie to St. Francis.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Matthews Attainder Bill.

Ordered, That Mr. Monro have leave to bring in a Bill to reverse the attainder of Peter Matthews, and to avoid the forfeiture of his Estates and Property.

perty.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Upper and Lower Canada Division

Ordered, That the Honourable Mr. Papineau have leave to bring in a Bill to declare and establish the Division Line between Upper and Lower Canada,

Line Bill. from the River St. Lawrence to the River Ottawa.
He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

Land Pat-ents Bill. Ordered, That Mr. Thompson have leave to bring in a Bill, to give effect to Letters Patent, for Lands, in cases where the Grantee has died before the completion of the same, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

On motion of Mr. Laurin, seconded by Mr. Méthot,

Address, River Duchêne Bridge. Resolved, That an humble Address be presented to His Excellency the Governor General; praying he will be pleased to cause to be laid before this House, copies of all Correspondence between the Provincial Secretary, and the Chairman of the Board of Works, relative to a Sum of Money voted by the Legislature, during the last Session, for the construction of a Bridge over the Rivière Duchêne, in the County of Lotbinière.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Private Bills. Mr. Hale moved, seconded by Mr. Petrie, that the time for receiving Reports of Committees on Private Bills, be extended until this day week.

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The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, Accordingly.

Adjournment. Mr. Laurin moved, seconded by Mr. Chabot, that when this House doth adjourn to-morrow, it will adjourn until Thursday at ten o'clock in the forenoon.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Superior Courts, (U.C.) Ordered, That the Message of His Excellency the Governor General, respecting the accommodation of the Superior Courts of Justice in Upper Canada, be referred to the Committee of the whole House on the Supply granted to Her Majesty.

Moira Mill Dams Bill. Mr. Lantier, from the Committee of the whole House, on the Bill to require Slides of certain dimensions to be erected upon the several Mill Dams in the River Moira, in the County of Hastings, reported, according to Order, the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Supply.

*The Order of the Day for the House in Committee on the Supply granted to Her Majesty, being read;*¹³¹

MR. BALDWIN, before the House went into committee, he would move a resolution, that this House never would admit the constitutional rights of the Imperial Parliament, to levy monies in the Province without the consent of the Provincial Legislature. He had withdrawn the motion on a preceding evening with the hope of meeting the views of the Hon. Attorney General West, and had again brought it forward, as he had not been quite so successful in that respect as he could have wished. From the position in which this Colony is placed, he considered it was the duty of the House to record their firm determination not to permit so daring an interference with constitutional rights as our Statute book at present exhibits, and he brought forward his motion now, because he believed it was due to this Province, to the Sovereign and the sister Colonies, to take that step before entering into Committee. For these reasons, he thought it necessary to put his resolution in the strongest terms, and however he might differ with the other hon. gentlemen on that point, he believed every one would admit the principle, even the hon. member for Montreal. The hon. Attorney General West in the course of his remarks on this subject on a previous evening, said he wished to have the motion couched in the most courteous terms. He was also of that opinion, and if he thought his motion was deficient in courtesy to the Imperial Government, he would give way, but it appeared to him that was not the case; it was merely a strong expression of the principle for which he contended. And as he conceived the motion prepared by the hon. Inspector General was not exactly what he would wish, he would make his motion, and it would then be competent for that hon. gentleman to move an amendment.¹³²

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The Honourable Mr. Baldwin moved, seconded by the Honourable Mr. LaFontaine, that this House can never admit the existence of a constitutional right in the Crown or Parliament of the United Kingdom, to grant or appropriate any monies raised upon Her Majesty's subjects in this Province, by whatever means or in whatever manner, without the free consent of their representatives in Provincial Parliament; and they do therefore, now when about to enter upon the consideration of the grant of a Civil List to Her Majesty, solemnly protest against the assumption of the power to make such grant and appropriation contained in the Act of the Imperial Parliament, for the Re-union of the late Provinces of Upper and Lower Canada.

MR. INSP. GEN. CAYLEY. - After the consideration of a day, though fully agreeing with many of the sentiments expressed by the hon. member for the North Riding of York, they had decided upon proposing an amendment to the motion of that hon. gentleman.¹³³

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The Honourable Mr. Cayley moved in amendment, seconded by the Honourable Mr. Moffatt, that all the words after "that," in the said motion, be struck out, and the following substituted, "the appropriation of monies raised upon Her Majesty's subjects in this Province can only be constitutionally made

by their representatives in Provincial Parliament, and that however the peculiar circumstances of the Canadas at the period of passing the Act of the Imperial Parliament, intituled, 'An Act to re-unite the Provinces of Upper and Lower Canada, and for the government of Canada,' may have rendered expedient the appropriation of the Civil List therein contained, this House solemnly protests against the acquiescence in that appropriation being drawn into a precedent for the future, for an appropriation of the Public Revenues of Canada, by any other authority than that of the Legislature of this Province."

MR. CHRISTIE preferred the amendment, because it was in accordance with the resolutions passed by the House of Assembly in 1843.¹³⁴

MR. HALL was rather surprised at the reason which the hon. member for Gaspé gave for voting for the amendment. He (Mr. Hall) would vote against it, he contended that the British Government had no right to do what they did¹³⁵ and he would never sanction it.¹³⁶ By doing this on a former occasion, they lost thirteen valuable colonies; and they would never have dared to do it to us at the time they did. He wanted to have the same privileges that the people of England had, that of stopping the supplies when the Government do not do their duty, and he (Mr. H) would if it was necessary, stop the supplies as soon as he would vote £50 to fill up a mud hole.¹³⁷

MR. MOFFATT had much pleasure in supporting the amendment, for while it sufficiently guards the constitutional rights of this House it is courteous to the mother country. He would not go into the circumstances which induced the British Government to make a permanent civil list a part of the Union Act, but he would say that extreme cases justify extreme remedies; and what they did had his entire concurrence under the circumstances.¹³⁸

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The question having been put upon the motion of amendment, a division ensued.

*Yeas, 13.
Nays, 23.*

So it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to unanimously, and

Resolved, Accordingly.

The House then resolved itself into a Committee on the Supply granted to Her Majesty.

Mr. Laurin took the Chair of the Committee,

MR. INSP. GEN. CAYLEY moved the adoption of the first resolution, reserving any remarks he would have to make, until they come to the items.¹³⁹

MR. BALDWIN supposed that on the general subject of the Civil List, the Government had no more information to lay before the House than had been given last session. With regard to the question of the Civil List, he thought it was unfortunate that the British Government had taken it up and decided upon it without consulting the people of this Province; but having been done under circumstances which some hon. gentlemen conceived to be a

sufficient cause, he must say he did not think the minute of Council of 1843 had received that attention from the Imperial Parliament to which it was entitled. As it was in their power to do so,¹⁴⁰ ((he)) would have preferred that, after the Imperial Parliament had exercised the power, not the right, to enact a permanent Civil List, it would have repealed the portion of the Union Act which granted it¹⁴¹ and then brought the question of a Civil List before the House. It was unfortunate that course was not taken, and the result was that¹⁴² there was only three courses between which the House would have to choose.¹⁴³ They must either accept the proposition submitted to them, or undertake a series of agitations, which in the present state of affairs would not be desirable. And if both those courses were rejected, then the only alternative would be to leave the question as it now stands unsettled. Now he looked upon that as highly objectionable, as it would leave on the Statute book a principle that affected the constitutional rights of this and all the other colonies, and under whatever circumstances that might have been done, the time was now come to sweep it away. On this ground, he was of opinion that the grant of a Civil List ought to be favourably entertained by the House. He would not have felt pledged to it if the previous resolution had not been adopted, for without that the House would have recognised the right of the Imperial Parliament to interfere with our intended arrangements, but the principle he contended for having been recognised, he felt bound to support the grant of a Civil List.¹⁴⁴ If the advice rendered by the Ministry of 1841 had been taken, he would have considered the House pledged to grant the same amount as that of the existing Civil List, but as it had not done so, he was prepared to take up the question untrammelled by any such consideration and (sic) entirely upon the broad principles that should govern it.¹⁴⁵ The principle being admitted, the only question then respecting the Civil List is as to its provisions. And the first broad feature which presented itself was that part which provides for the payment of the Officers for the Crown. In fact it might be divided into three branches: first, the Head of the Government; secondly, the Judiciary; and thirdly, the members of the Administration. As regards the first point he never had a doubt, for the principle of our constitution demands most emphatically that the Head of the Government should not be subjected to the controul of the Legislature;¹⁴⁶ ((his)) salary ... should be permanently fixed, at least with so much certainty as to prevent the necessity of Ministers coming down every year to ask for a grant for that purpose.¹⁴⁷ Then as regards the Judiciary, it is necessary that it should be as independent of the people as of the Executive¹⁴⁸ ((and)) a similar permanent arrangement was necessary in the case of the salaries for Judges.¹⁴⁹ On those two points there could be no doubt, being an acknowledged principle that they should not be dependent on an annual vote. Then with regard to the third part, which contains a charge on the Province for the Executive, for his own part he admitted that with regard to the actual ministers of the Crown, there would be some difficulty in voting their salaries annually, it would in fact place them in a false position¹⁵⁰ ((and)) would be a very unpleasant duty both for Ministers and the House.... He believed that the proposal was to place these items among those to be annually voted, and although he had expressed his opinion against that course, it was not a subject upon which he would

offer any opposition.¹⁵¹ But what he wished for was that the amount voted for a permanent Civil List should not be so great as to put it in the power of the Administration to carry on the Government without coming down for an annual vote. On this point there was a vast difference between the mother country and this colony, there the Civil List is a mere drop in the bucket, and the Government is obliged to bring forward an annual vote for a different class of public servants, and consequently there is an effectual check. But in this colony that class is not provided for, and in order to obtain an efficient check on the administration, he would like to see the third class provided for by annual vote. And if that check could be obtained, he would not care about two or three thousand, more or less on the Civil List, as the House would always have a sufficient control over them, for they cannot come down now as an hon. Attorney General did before the introduction of Responsible Government, and boast that they are independent of the House, that is now beyond their power.¹⁵² There were some of the details of the plan laid before the House, with which he did not entirely agree. The first of these was the division of the amount into the two schedules A and B, but he did not conceive that to be a matter of much importance. Another thing was that he saw no provision for the Crown Lands Department¹⁵³ with the exception of the Clerk's salary, and he really thought that so many complaints had been made on both sides of the House respecting that office, that in order to put a stop to them, the Gov't had discovered some magical method of carrying on the department, with £300, and he had prepared himself to give the hon. member for Ottawa unbounded praise. He was under all these circumstances prepared to support a Civil List, putting the Head of the Government and the Judiciary on an independent footing, but would of course reserve to himself the right of opposing certain items respecting which he did not concur with the hon. Inspector General. There was one point in the general scheme to which he did not give his concurrence. That was as respected the Office of Civil Secretary, a term which was apt to mislead the public and even the officer himself, of which an instance had occurred this session.¹⁵⁴ His own opinion was, that this office should be merged in that of the Provincial Secretary, but if Government thought it necessary to maintain an office for the management of that part of the public service which related to the communication between the Head of the Government here and the Home Government, he would like to see it in the hands of the Private Secretary who would have the personal confidence of the Governor in a greater degree than any permanent officer could have it¹⁵⁵, for Governors change repeatedly, and therefore cannot have that confidence in a permanent officer, which is necessary in that situation, and it appeared to him that the Private Secretary was the person best fitted for the duties of the office. It appeared to him there was a mistake altogether (sic) as respected this office, some comparing it to the Civil Secretaryship for Ireland, but that officer was responsible for the performance of his duties, whereas our Secretary never was. If the office were absolutely necessary, then bring the Secretary into Parliament to answer for himself, but the safer way as it appeared to him (Mr. Baldwin) would be to abolish the office and transfer the duties to the Private Secretary. In conclusion, he would say that with regard to the votes, he was not disposed to deal with the Administration in a niggardly spirit, on the contrary,¹⁵⁶ ((though)) he reserved to himself the right to

object upon any of the amounts specified in the resolutions when they come up in detail, in the meantime he would say, that he would be disposed to err on the side of liberality rather than the other way.¹⁵⁷

MR. HALL stated his intention to oppose the resolution.¹⁵⁸ ((He)) had always understood that before Parliament granted the annual supply of money the important measures of the country were disposed of; that was not the case in the present instance; the question of the Board of Works was still untouched, the Government knew that the greatest abuses existed in that department and yet nothing towards reform was attempted. There was, also, the Crown Land Office which was a disgrace to any civilised country (oh! oh!) he would repeat that that Office was a nuisance to the country; if there was one consideration which more than another prompted him (Mr. Hall) to come to that House it was to urge a reform in the management of the Crown Lands; he was not there merely to please or applaud the Ministers but to state the truth, and see justice done his constituents and the country at large; it was wrong in the Government to ask for the supplies (sic) before they had discharged the duties of the session and especially before introducing those important measures of reform to which he had referred and which the country unanimously called for¹⁵⁹. Until such measures were brought before the House - ... he would vote against ... ((the resolution)).¹⁶⁰ He would, with the view of postponing the supplies, move¹⁶¹, seconded by MR. BOULTON,¹⁶² that the Committee rise, report progress, and ask leave to sit again.¹⁶³ The hon. member then made some observations strongly condemnatory of the Home Government for the imposition of the Civil List.¹⁶⁴

MR. BOULTON was also anxious to mark his objection to the conduct of the Government in proceeding with the supplies before effecting the reforms alluded to by the hon. member for Peterborough; it was notorious that there were serious charges against the Board of Works and Crown Lands Office and they should be disposed of; they were not to be told Session after Session that the Government intended to bring forward the measures called for by the country;¹⁶⁵ ((he)) was anxious that the House should not separate before these abuses were remedied, and if this was the proper time to delay that separation, he was prepared to vote for the amendment¹⁶⁶ and did not doubt that his constituents would justify his vote.¹⁶⁷

M. LAFONTAINE dit qu'il désirait que le vote sur la question fut pris immédiatement; il n'y avait pas à délibérer, c'était une question de vie ou de mort; si l'opposition ne votait pas sur cette question conformément à la volonté du gouvernement impérial, c'était la langue française qui en souffrirait; il n'y avait pas même d'opinion à émettre; de ce vote de la liste civile dépendait l'usage de notre langue dans cette chambre. Le montant du chiffre ne devait pas occuper cette chambre. L'hon. membre pour Toronto (M. Boulton) qui se dit partisan du gouvernement responsable, et qui supporte le ministère actuel, a dit que nous devons refuser de voter les subsides; ce n'est pas le procédé à adopter sous le gouvernement responsable, ce refus ne se fait plus en Angleterre, ce serait un acte de rebellion. Si l'on ((n'))est point satisfait, le moyen d'exprimer son mécontentement, c'est un vote de non-confiance envers l'administration.¹⁶⁸ The day for stopping the supplies had, he trusted, gone by.¹⁶⁹ Quant au salaire du gouverneur, c'est un sujet dont on a parlé et sur lequel on parlera encore. Il est toujours étonnant en effet qu'un pays qui ne con-

tient qu'un million d'habitans donne à son gouverneur un salaire beaucoup plus élevé que celui que reçoit le président d'une des plus grandes républiques du monde. Cependant il faudra voter sur ce point comme sur les autres. Il a déjà été suggéré une réduction de ce salaire, mais le gouvernement impérial n'a voulu rien changer, il a voulu conserver au gouverneur des Canadas réunis, les salaires accordés autrefois au gouverneur du Bas et au lieutenant gouverneur du Haut conjointement. On a dit qu'un gouverneur militaire ne pouvait prétendre au même salaire qu'un gouverneur civil. Mais si l'on veut s'attacher au principe de la responsabilité, il vaut mieux avoir un militaire honnête qu'un gouverneur civil qui ne craint point de violer la constitution.¹⁷⁰

MR. G. MACDONELL of Dundas opposed the amendment; he thought its adoption would be a virtual defeat of the supplies. The hon. member then proceeded to consider the items of the Governor General's salary, that of the Chief Justices of Upper Canada, and the salaries of Puisne Judges in Upper Canada; he contended that the financial statements of the Government shewed a necessity for retrenchment and he thought it ought to commence with His Excellency's salary; he had the utmost respect for the representative of the Sovereign, but he thought that the establishment of Responsible Government greatly reduced the duty of the Governor of Canada¹⁷¹ ((as)) a great deal of labour was taken off his shoulders by the responsible advisers of the Crown.¹⁷² He would also call attention to the fact that the President of the United States was only allowed a salary of \$25,000. In reference to the Chief Justice of Upper Canada he thought his salary was not too high, he was a most able and hard working man. Of the Puisne Judges he would say they had a heavy establishment of them in Upper Canada, there were more of them than in the Court of Queen's Bench at Westminster, and many of them were appointed not from fitness for office but because some had rendered political services and others were in the way of carrying out political schemes.¹⁷³ He was ... in favour of doing away with some of ((them))....¹⁷⁴

MR. HALL would request gentlemen not to be alarmed about the supplies being stopped, their loyalty need not be shocked, he had no intention to take such a step and even if he had the supplies would be paid to the amount of £75,000 despite ... him or any one else; the Imperial Government had taken that authority, and therefore were the Canadians not freemen,¹⁷⁵ on account of the Civil List having been previously permanently settled;¹⁷⁶ they were in bondage, chains were around their necks; England took that right from the country at the only time she could have attempted it, she would not have dared to do it at another time; already had she lost 16 (sic) Colonies by such an act. The hon. member next reverted to the state of the Crown Land Office; he said that a report which had cost the country £250 was that day laid upon the table although he believed it had been ready since the beginning of the Session; he again denounced the office as a shame and a curse to the country, the Minister at the head knew nothing whatever of his duties (hear, hear, and oh! oh!) hon. members might cry hear, hear, but he would ask does the commissioner know a single thing about his office? he does not, neither was his deputy fit, nor his clerks; he (Mr. Hall) would get three men in Montreal to do the business better than the whole of them; when members of Parliament whose applications ought

to be supposed to have some weight, went to that office it was with the greatest difficulty they could get anything done, and how much worse must it be with poor men, and persons without any influence, who had occasion to go there. He would persist in condemning such abuses and did not care for the consequences; he desired to reduce the constitution of the country to practise.¹⁷⁷

MR. MOFFATT. - In reference to the remarks of the hon. member who had just sat down, that England would not under other circumstances than those which existed at the time dare to do what she did with our civil list he (Mr. Moffatt) trusted that England would always dare do what she conceived necessary for the protection and well being of her Colonies;¹⁷⁸ he thought the Imperial Government was justified in taking the course it adopted, in reference to the Civil List, by the extraordinary circumstances of the times, which could only be met by extraordinary measures.¹⁷⁹ He regarded the question before the House, as whether we should adopt a civil list of our own or that fixed by imperial authority, (hear, hear)¹⁸⁰, whether the old system should be continued, or a more constitutional one adopted; to refuse to vote the Civil List was to continue the permanent appropriation of the Union Act. The member for Peterborough had complained that the estimates did not contain sufficient appropriations for improvements, - now what was the fact? they nearly doubled the estimated revenue for the year.¹⁸¹ He was happy in agreeing with Mr. Lafontaine, that the day of stopping the supplies had gone by.¹⁸²

MR. LAFONTAINE explained that he did not mean to say that the Parliament had not the power as before, to stop the supplies, but that under Responsible Government it was not probable that such a necessity would arise; before the present form of Government was granted stopping the supplies was the only check and the country was justified in resorting to it.¹⁸³

M. CHAUVEAU dit qu'à entendre les membres du côté ministériel, on dirait bien plutôt que ce sont eux qui sont les radicaux, les réformistes, et que l'opposition (sic) se compose des conservateurs. Les membres de l'autre côté vont jusqu'à menacer de refuser les subsides, menace inouïe dans la bouche de ces ultra-loyaux qui se font un devoir de soutenir le gouvernement en tout et partout.

L'hon. membre entra ensuite dans quelques observations au sujet de la liste civile. Il concourait avec ceux qui avaient parlé avant lui à trouver énorme le montant de la liste, mais il n'avait pas été moins frappé de l'observation de l'hon. membre pour Terrebonne qui avait fait remarquer qu'il ne s'agissait pas seulement d'une question d'argent pour les Canadiens-français, dans ce vote de la liste civile; qu'il s'agissait de notre langue; que le gouvernement impérial attendait pour nous l'interdire dans cette chambre, notre refus de voter la liste civile. Oui, cette observation est juste, et dans une telle alternative, nous n'avons pas à balancer, l'argent doit peu nous occuper, nous avons quelque chose de plus cher à conserver. Les membres de l'autre côté trouveront peut-être en cela quelque chose ... ((d'étonnant)), mais c'est que nous sommes une race qui tenons plus à l'honneur qu'à l'argent (applaudissemens).

Plusieurs membres de l'autre côté s'étaient plaints que cette liste fût votée, tandis qu'un grand nombre d'améliorations étaient restées en

arrière, mais les membres du Haut-Canada n'avaient point droit de s'en plaindre puisque beaucoup plus de la moitié des appropriations de cette année ont été pour cette partie de la province, tandis que le montant alloué au Bas-Canada se compose en partie de sommes votées l'année dernière.

On a fait aussi l'observation que quelques membres Canadiens ont trouvé le moyen de parler ce soir en anglais; mais qu'on se rappelle que nous ne l'avons fait que parce qu'on nous a prié de le faire, et qu'au reste, si l'on nous trouve trop obséquieux, l'on n'a qu'à le dire, et ce sera la dernière fois qu'ils nous entendront parler dans cette langue.¹⁸⁴

MR. J. S. MACDONALD of Glengarry, said that he would cheerfully vote for the motion in amendment made by the hon. and learned member for Peterboro, did he (Mr. McD.) conceive that any good was likely to result from its adoption by the Committee, but so far was he convinced to the contrary that he felt himself bound to oppose it and to support the main motion. Did his hon. friend hope at the close of this Session to obtain any satisfactory insight into the state of the Board of Works, or that of the Crown Lands Department, and because forsooth, that information was not now in the possession of hon. members, this Committee is called upon by the motion in amendment, to postpone the consideration of a subject so grave and important as that of the civil list, until the final report of the Commissioners appointed to investigate into the condition and management of those two branches of the public departments shall be printed for the use of members, he would ask how the mismanagement or extravagance of any department could have any reference or interference with the question under consideration. It surely would be no answer to our constituents, and far less to those whose services the public are pledged to remunerate to say, oh! you the Judges of the land, and you the subordinate officers and clerks of the Government must have your salaries laid over, just because the hon. member for Peterboro fancies that the Board of Works and Crown Land Department have mismanaged the business allotted to each. It is true that the final report respecting the Board of Works has not yet reached the House, and it was only this very night that the hon. the Commissioner of Crown Lands placed on the table the report on his department, which it would appear has cost the Province £250. But whose fault is it that these reports, which were long since in course of preparation and which ought to have been submitted to this House at its opening in March last, have been delayed to this moment? It was the fault of the hon. member for Peterboro, and of those who like him have supported the Ministry. They ought to have forced the Administration long since to supply the information now sought for. The country knew that the supporters of the Ministry were in the majority, and yet they did not compel the publication of these reports. And the public is also aware that if a motion were made from the minority on a question which implied censure on the Administration it would meet with a defeat. It was quite evident that the Ministry were not prepared for the opposition raised this night by the hon. members for Peterboro and Toronto. To his (Mr. M'D.'s) side of the House, it sounded strange to hear from the hon. member for Peterboro that the hon. the Commissioner of Crown Lands was wholly incapable of discharging his duties, that in fact he knew nothing as regarded the business of his office, and yet the hon. the Commissioner of Crown Lands is one of the members of

the conservative administration of Canada, and the conservative member for Peterboro' is a strenuous supporter of that administration. (Hear, hear.) It is really too bad to hear the administration so abused by one of its fast supporters. The question now before the committee, he (Mr. M'D.) had said was an important one; it was to consider what salaries the people of this Province are willing to grant to those whose services are required to conduct the Government. Let us therefore approach the subject with that consideration which its importance demands. No time should be lost in settling this matter, in order that the people of Canada may be pledging the payment of those salaries as well as the incidental charges requisite for the support of the various public departments, and for maintaining the credit of the Government regain that constitutional control over the monies raised in the Province, of which as respects the amount of the civil list the inhabitants of Canada have been deprived by the terms of the Union act. His hon. and learned friend from the 4th Riding had already this evening in his usually clear and comprehensive style expounded to the committee, the light in which he (Mr. Baldwin) had regarded, and would regard the interference of the Imperial Government with the monies raised by the people of Canada unless with the consent of the people themselves. He (Mr. M'D) concurred in every sentiment expressed by his learned friend the Atty. General on that head. The first item on the list is that relating to the salary of the Representative of the Sovereign((n)) in this Province. He (Mr. M'D) would declare at the outset that he was unwilling to interfere (sic) with the amount fixed for that exalted personage, by the Imperial Parliament. His station and rank require a liberal allowance, and that allowance being subjected to a variety of calls, in the nature of expenses and charities he (Mr. M'D) would leave the amount as it now stands; besides that were we to lower it, the measure might be defeated altogether, if the Imperial Government should not sanction the reduction of the Governor General's salary. His (Mr. M'D's) hon. and learned friend from Dundas, had remarked that considering the arduous duties which devolved upon the Representative of the Sovereign in Canada, and the toil and labour he had to undergo, the salary ought to be liberal, but he considered £7000 sterling too high a figure. Now, for his (Mr. M'D's) part, he had already stated in plain terms his views respecting the amount, and he would add, that he was ready to vote for the highest sum, because he discovered that the exalted individual at the head of the Government, unlike others that could be mentioned, was not toiling and labouring, as the head of a party or a faction in this Province, and creating unnecessary agitation throughout the length and breadth of the land; but he was regarded by all parties with that measure of respect which is not only due to his own character as a soldier, but to the situation he holds amongst us. He (Mr. M'D) was delighted to find that for the first time at all events since he (Mr. M'D) had paid attention to public affairs, his native Province can boast of a session of the Legislature having passed without one uncourteous term being used towards the Head of the Government, and this is precisely one of those advantages which arise from the working of Responsible Government. The Governor General's name should be mentioned (sic) only with respect, in like manner, as we are taught to allude to Her Gracious Majesty. He would not trespass further on the time of the Committee, but would reserve other remarks until other items on the list are

brought under discussion.¹⁸⁵

MR. HALL withdrew his amendment.¹⁸⁶

MR. INSP. GEN. CAYLEY then moved the adoption of the first item of the schedule A, viz., that the allowance for His Excellency the Governor General be £7,777 15s. 6d. currency per annum.¹⁸⁷

MR. THOMPSON was anxious only to vote such a Civil List as was in accordance with the means of the Province, for it was useless to vote a List that we cannot meet. We cannot now expect protection in England, and we ought therefore to reduce our expenditure. He would prefer to leave the List as it is than sanction by our votes the List proposed by the Ministry. He contrasted the salaries of public officers in the United States, with the salaries given to our officers.¹⁸⁸

MR. GOWAN said that the remarks of the hon. member for Peterboro' as to the Civil List, and the part taken by the British Government, were entirely uncalled for at least so far as Upper Canada was concerned.¹⁸⁹ Members from Upper Canada have no right constitutionally to blame the British Government for what they did with respect to the Civil List, for¹⁹⁰ the Union was consented to by the Upper Canadian Parliament, only on condition that the Civil List should be permanently secured by Imperial authority, instead of being imposed by the Home Government, the enactment concerning the Civil List had been solicited (sic) by the Upper Canadian Legislature.¹⁹¹ He agreed with the remarks of the hon. member for Peterboro' with respect to the Board of Works and Crown Lands Department, that they were miserably mismanaged. But there is another department, under the Imperial control, which is a great grievance, he alluded to the Post Office. He considered that the Ministry ought to have entered into a correspondence with the Home Government, so that some reform might be made in that department.¹⁹²

MR. BALDWIN was opposed to any reduction of the Governor's salary, and thought that in considering it, regard should be had more to the style of things, habits &c., in the country he came from than in this; it was no doubt upon that view that the salary as fixed by the ... Imperial Government was predicated, and ... it ought in his opinion to be left so.¹⁹³

MR. THOMPSON thought that as the country had to pay the salaries they ought to have the power to fix them; that was the proper way to shew Reform principles; he was surprised to hear the views of the hon. member for the Fourth Riding, and began to think that the great question between party leaders was that of "outs and ins," those out wished to get in, and those in to remain so; such ought not to be the aim of hon. gentlemen; no man should desire office except as a means of doing good, and whether in office or out it should not be forgotten that they were sent to that office to guard the public interest, and above all to see that there should be no wasteful expenditure of the people's money.¹⁹⁴ Mr. Thompson¹⁹⁵ moved to reduce the Salary of the Governor-General to £5,000.¹⁹⁶

((The amendment)) was lost¹⁹⁷.

MR. MOFFATT wished His Excellency's salary to remain as it was; none

but men of high rank and known ability should be appointed to govern Canada, and a man of such standing would not leave England unless a salary every way suitable to his position was fixed.¹⁹⁸

MR. G. MACDONELL¹⁹⁹ of Dundas renewed his objection to the amount of the salary and proposed £6000.²⁰⁰

((The amendment)) was lost²⁰¹.

MR. MUNRO moved £6,500²⁰².

((The amendment)) was lost²⁰³.

The original motion was then carried by a large majority, amongst whom were MESSRS. BALDWIN and LAFONTAINE.²⁰⁴

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

G. H. Ryland,
Esq.

The Order of the Day for taking into consideration the Address to Her Majesty, praying that the claims of George H. Ryland, Esquire, as therein stated and set forth, may be taken into Her Majesty's most favourable consideration, being read;

The House proceeded accordingly to take the said Address into consideration;

And the said Address being again read, and the question being put thereon, it was agreed to by the House.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause the humble Address of this House to Her Most Gracious Majesty the Queen, praying that the claims of George H. Ryland, Esquire, as therein stated and set forth, may be taken into Her Majesty's most favourable consideration, to be transmitted to Her Majesty's Government, to be laid at the Foot of the Throne.

Ordered, That the said Addresses to Her Majesty and to His Excellency the Governor General be Engrossed.

Ordered, That the said Addresses be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of the Honourable Mr. Viger, seconded by the Honourable Mr. Daly,

The House adjourned.

FOOTNOTES - 12 MAY 1846.

1. The debate on this matter was reported by: LA MINERVE, 14 May 1846; MONTREAL GAZETTE, 14 May 1846; MONTREAL TRANSCRIPT, 16 May 1846; and MIRROR, 12 May 1846, and PILOT, 16 May 1846, in identical accounts. Commentaries appeared in: MONTREAL TRANSCRIPT, 14 May 1846; MONTREAL GAZETTE, 16 May 1846; and BRITISH COLONIST, 19 May 1846.
2. MONTREAL GAZETTE, 14 May 1846.
3. MONTREAL TRANSCRIPT, 16 May 1846.
4. MIRROR, 12 May 1846.
5. MONTREAL TRANSCRIPT, 16 May 1846.
6. MIRROR, 12 May 1846.
7. MONTREAL GAZETTE, 14 May 1846.
8. MIRROR, 12 May 1846.
9. MONTREAL GAZETTE, 14 May 1846.
10. MIRROR, 12 May 1846.
11. IBID.
12. MONTREAL GAZETTE, 14 May 1846.
13. MONTREAL TRANSCRIPT, 16 May 1846.
14. MIRROR, 12 May 1846.
15. MONTREAL TRANSCRIPT, 16 May 1846.
16. MONTREAL GAZETTE, 14 May 1846.
17. MONTREAL TRANSCRIPT, 16 May 1846.
18. MIRROR, 12 May 1846.
19. MONTREAL TRANSCRIPT, 16 May 1846.
20. MIRROR, 12 May 1846. The MIRROR added "but in so low a voice that we could not make them out."
21. MONTREAL TRANSCRIPT, 16 May 1846.
22. MIRROR, 12 May 1846.
23. MONTREAL TRANSCRIPT, 16 May 1846.
24. MIRROR, 12 May 1846.
25. MONTREAL GAZETTE, 14 May 1846.
26. MIRROR, 12 May 1846.
27. MONTREAL TRANSCRIPT, 16 May 1846.
28. MIRROR, 12 May 1846.
29. MONTREAL TRANSCRIPT, 16 May 1846.
30. MIRROR, 12 May 1846.
31. MONTREAL GAZETTE, 14 May 1846.
32. MONTREAL TRANSCRIPT, 16 May 1846.
33. MIRROR, 12 May 1846.
34. MONTREAL GAZETTE, 14 May 1846.
35. MONTREAL TRANSCRIPT, 16 May 1846.
36. MIRROR, 12 May 1846. The MONTREAL GAZETTE, 16 May 1846, observed: "A very angry and indecorous discussion took place ... between Mr. Lafontaine and Mr. Macdonald of Cornwall."
37. MIRROR, 12 May 1846.
38. MONTREAL TRANSCRIPT, 16 May 1846. The reportorial commentary of MONTREAL TRANSCRIPT has been reproduced because without it the words quoted lose most of their meaning.

39. MIRROR, 12 May 1846.
40. MONTREAL GAZETTE, 14 May 1846.
41. MIRROR, 12 May 1846. MONTREAL TRANSCRIPT, 16 May 1846, described Macdonald's speech as "violent and rambling."
42. MIRROR, 12 May 1846.
43. IBID.
44. IBID.
45. MONTREAL TRANSCRIPT, 16 May 1846.
46. MIRROR, 12 May 1846.
47. MONTREAL TRANSCRIPT, 16 May 1846.
48. IBID.
49. IBID. According to MONTREAL TRANSCRIPT, this decision "produced great amusement."
50. MIRROR, 12 May 1846.
51. IBID.
52. MONTREAL GAZETTE, 14 May 1846.
53. IBID.
54. IBID.
55. MIRROR, 12 May 1846.
56. MONTREAL TRANSCRIPT, 16 May 1846.
57. MIRROR, 12 May 1846.
58. MONTREAL TRANSCRIPT, 16 May 1846.
59. MIRROR, 12 May 1846.
60. MONTREAL GAZETTE, 14 May 1846.
61. MIRROR, 12 May 1846.
62. MONTREAL GAZETTE, 14 May 1846.
63. MIRROR, 12 May 1846.
64. MONTREAL GAZETTE, 14 May 1846.
65. MIRROR, 12 May 1846.
66. IBID.
67. MONTREAL GAZETTE, 14 May 1846.
68. MIRROR, 12 May 1846.
69. IBID.
70. MONTREAL TRANSCRIPT, 16 May 1846.
71. MONTREAL GAZETTE, 14 May 1846.
72. MONTREAL TRANSCRIPT, 16 May 1846.
73. MIRROR, 12 May 1846.
74. IBID.
75. IBID.
76. MONTREAL GAZETTE, 14 May 1846.
77. MONTREAL TRANSCRIPT, 16 May 1846.
78. MONTREAL GAZETTE, 14 May 1846.
79. MIRROR, 12 May 1846.
80. IBID.
81. IBID.
82. MONTREAL GAZETTE, 14 May 1846.
83. MIRROR, 12 May 1846.
84. MONTREAL GAZETTE, 14 May 1846.
85. MIRROR, 12 May 1846.
86. MONTREAL TRANSCRIPT, 16 May 1846.
87. MIRROR, 12 May 1846.

88. MONTREAL TRANSCRIPT, 16 May 1846.
89. MIRROR, 12 May 1846.
90. MONTREAL TRANSCRIPT, 16 May 1846.
91. IBID.
92. MIRROR, 12 May 1846.
93. MONTREAL TRANSCRIPT, 16 May 1846.
94. MIRROR, 12 May 1846.
95. MONTREAL GAZETTE, 14 May 1846.
96. MIRROR, 12 May 1846.
97. MONTREAL TRANSCRIPT, 16 May 1846.
98. MIRROR, 12 May 1846.
99. MONTREAL GAZETTE, 14 May 1846.
100. MONTREAL TRANSCRIPT, 16 May 1846.
101. MONTREAL GAZETTE, 14 May 1846.
102. MIRROR, 12 May 1846.
103. MONTREAL GAZETTE, 14 May 1846.
104. MIRROR, 12 May 1846.
105. MONTREAL GAZETTE, 14 May 1846.
106. MIRROR, 12 May 1846.
107. MONTREAL GAZETTE, 14 May 1846.
108. MIRROR, 12 May 1846.
109. MONTREAL GAZETTE, 14 May 1846.
110. MIRROR, 12 May 1846.
111. MONTREAL GAZETTE, 14 May 1846.
112. MONTREAL TRANSCRIPT, 16 May 1846.
113. MIRROR, 12 May 1846.
114. MONTREAL GAZETTE, 14 May 1846.
115. MIRROR, 12 May 1846.
116. IBID. MONTREAL TRANSCRIPT, 16 May 1846, noted: "MR. MOFFATT was heard rather imperfectly".
117. MIRROR, 12 May 1846.
118. MONTREAL GAZETTE, 14 May 1846.
119. MIRROR, 12 May 1846.
120. MONTREAL GAZETTE, 14 May 1846.
121. MIRROR, 12 May 1846.
122. MONTREAL TRANSCRIPT, 16 May 1846.
123. MIRROR, 12 May 1846, the only source reporting this member's remarks, which, as reported, are very confused and contradictory.
124. MONTREAL TRANSCRIPT, 16 May 1846.
125. MIRROR, 12 May 1846.
126. MONTREAL TRANSCRIPT, 16 May 1846.
127. MIRROR, 12 May 1846.
128. IBID.
129. MONTREAL GAZETTE, 14 May 1846.
130. A commentary on this matter is found in BRITISH COLONIST, 22 May 1846.
131. The debate on this matter was reported by: LA MINERVE, 14 May 1846; MONTREAL GAZETTE, 14 May 1846; MONTREAL TRANSCRIPT, 16 May 1846; and MIRROR, 12 May 1846, and PILOT, 16 May 1846, in identical accounts.
132. MIRROR, 12 May 1846.
133. IBID.
134. IBID.
135. IBID.

136. MONTREAL GAZETTE, 14 May 1846.
137. MIRROR, 12 May 1846.
138. IBID.
139. IBID.
140. IBID.
141. MONTREAL GAZETTE, 14 May 1846.
142. MIRROR, 12 May 1846.
143. MONTREAL TRANSCRIPT, 16 May 1846.
144. MIRROR, 12 May 1846.
145. MONTREAL TRANSCRIPT, 16 May 1846.
146. MIRROR, 12 May 1846.
147. MONTREAL TRANSCRIPT, 16 May 1846.
148. MIRROR, 12 May 1846.
149. MONTREAL TRANSCRIPT, 16 May 1846.
150. MIRROR, 12 May 1846.
151. MONTREAL TRANSCRIPT, 16 May 1846.
152. MIRROR, 12 May 1846.
153. MONTREAL TRANSCRIPT, 16 May 1846.
154. MIRROR, 12 May 1846.
155. MONTREAL TRANSCRIPT, 16 May 1846.
156. MIRROR, 12 May 1846.
157. MONTREAL TRANSCRIPT, 16 May 1846.
158. MONTREAL GAZETTE, 14 May 1846.
159. MIRROR, 12 May 1846.
160. MONTREAL GAZETTE, 14 May 1846.
161. MIRROR, 12 May 1846.
162. MONTREAL TRANSCRIPT, 16 May 1846.
163. MIRROR, 12 May 1846.
164. MONTREAL TRANSCRIPT, 16 May 1846.
165. MIRROR, 12 May 1846.
166. MONTREAL GAZETTE, 14 May 1846.
167. MIRROR, 12 May 1846.
168. LA MINERVE, 14 May 1846.
169. MIRROR, 12 May 1846.
170. LA MINERVE, 14 May 1846.
171. MIRROR, 12 May 1846.
172. MONTREAL GAZETTE, 14 May 1846.
173. MIRROR, 12 May 1846.
174. MONTREAL GAZETTE, 14 May 1846.
175. MIRROR, 12 May 1846.
176. MONTREAL GAZETTE, 14 May 1846.
177. MIRROR, 12 May 1846.
178. IBID.
179. MONTREAL TRANSCRIPT, 16 May 1846.
180. MIRROR, 12 May 1846.
181. MONTREAL GAZETTE, 14 May 1846.
182. MIRROR, 12 May 1846.
183. IBID.
184. LA MINERVE, 14 May 1846.
185. MIRROR, 12 May 1846.
186. IBID.

WEDNESDAY, 13 MAY 1846.¹

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table:--

By Mr. Christie,--The Petition of Charles Turgeon
of the City of Quebec, Esquire.

By Mr. Dickson,--The Petition of Rowley Kilborn and others, of Clinton,
in the District of Niagara.

By Mr. Brooks,--The Petition of the Reverend J. Taylor and others, mem-
bers of the United Church of England and Ireland, in Eaton, in the Diocese
of Quebec.

By the Honourable Mr. LaFontaine,--The Petition of the Reverend C. T.
Caron and others, of the Parish of St. Martin.

Moirs Mill
Dams Bill.

An Engrossed Bill to require Slides of certain
dimensions to be erected upon the several Mill Dams
in the River Moirs, in the County of Hastings, was
read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to require Slides
of certain dimensions to be erected upon the several Mill Dams in the
River Moirs, and its tributaries, in the District of Victoria."

Ordered, That Mr. Murney do carry the said Bill to the Legislative Council,
and desire their concurrence.

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Petitions read.

Pursuant to the Order of the Day, the following
Petitions were read:--

Of Flavien Vallerand, of the city of Montreal; praying to be paid his
salary as Clerk of the Municipal Council of Richelieu.

Of L. M. Cressé, Esquire, and others, the Municipal Council of the
Parish of St. Jean Baptiste de Nicolet; praying that the monies proceeding
from Tavern Licenses be paid into the hands of the Secretary-Treasurer of
the Parish without the formalities now required by law; and that they may
be allowed to recommend such persons as they shall think fit to obtain
Licenses, and to regulate the number thereof.

Of J. B. Barnardin and others, of the Township of Kingsey, in the Dis-
trict of St. Francis; praying for an aid to enable them to repaid a cer-
tain road in the said Township.

Of Alexander M'Leod of Stamford; praying for redress and compensation
for injury and loss sustained by him in consequence of false imprisonment
by the Government of the United States in 1841.

M. DESAULNIERS² présenta à la chambre une requête des habitants de la
Rivière-du-Loup, district des Trois-Rivières, en opposition au projet de
loi introduit par M. DeBleury, tendant à remettre en vigueur l'ancienne
ordonnance du conseil spécial, au sujet des chemins d'hiver.³

187. MONTREAL TRANSCRIPT, 16 May 1846.
188. MIRROR, 12 May 1846.
189. MONTREAL TRANSCRIPT, 16 May 1846.
190. MIRROR, 12 May 1846.
191. MONTREAL TRANSCRIPT, 16 May 1846.
192. MIRROR, 12 May 1846.
193. IBID.
194. IBID.
195. MONTREAL GAZETTE, 14 May 1846. The MONTREAL TRANSCRIPT, 16 May 1846, mistakenly credited this motion to Mr. Christie.
196. MONTREAL GAZETTE, 14 May 1846.
197. IBID.
198. MIRROR, 12 May 1846.
199. IBID. The MONTREAL TRANSCRIPT, 16 May 1846, mistakenly credited this motion to Mr. Hall.
200. MIRROR, 12 May 1846.
201. MONTREAL GAZETTE, 14 May 1846.
202. MIRROR, 12 May 1846.
203. MONTREAL GAZETTE, 14 May 1846.
204. MONTREAL TRANSCRIPT, 16 May 1846.

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Of the Reverend Messire LeBourdais and others, of the Parish of St. Antoine de la Rivière du Loup, in the District of Three Rivers; praying that the existing laws relating to Winter Roads be not repealed.

En présentant la requête, M. DESAULNIERS dit que le comté qu'il avait l'honneur de représenter avait toujours été opposé à cette mesure, parce qu'il en reconnaissait toute l'incommodité et l'inutilité. La partie de l'ordonnance surtout qui oblige d'atteler le cheval de manière à ce qu'une des lisses passe dans sa trace, ne leur semblait renfermer rien d'agréable ni d'avantageux. Il était heureux de voir à la tête des signatures de la requête, le nom d'un ancien membre du conseil spécial, qui peu plus tard que l'année dernière se récriait contre une requête de la même nature, en disant qu'il n'y avait aucune personne respectable sur la liste des pétitionnaires; cette année, ce vénérable vieillard a signé, comme par réparation, un des premiers....⁴

Une voix. - Nommez-le, nommez-le.⁵

M. DESAULNIERS ((a répondu:)) Je n'aimerais pas à le nommer, vu qu'on pourrait l'accuser de tergiversation.⁶

Nommez, nommez.⁷

M. DESAULNIERS ((a répondu:)) Eh bien! puisqu'on le désire, je dirai que c'est le nom de l'hon. M. Mayrand; et puissent tous ses anciens collègues dépouiller ainsi leurs préjugés, pour suivre les opinions de leurs compatriotes!⁸

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Of William Smyth and others, of the Township of Gloucester, in the District of Dalhousie; praying for the construction of a Road from the Town of Bytown to the River St. Lawrence, through the County of Dundas.

Of George Watson and others, of the Township of Sarnia; praying that the Imperial Act for the disposal of the Clergy Reserve Lands may not be interfered with.

Of Henry Burritt and others, of the Township of Oxford and its vicinity; praying that the contemplated Plank Road to connect the Ottawa River at Bytown with the St. Lawrence may pursue a certain course from Prescott, intersecting the Village of Kemptville.

Of the Reverend Richard Anderson and others, members of the United Church of England and Ireland, in the Diocese of Quebec; praying that measures may be adopted for vesting in the Church Society of the Diocese of Quebec, for the benefit of the said Church, such a portion of the Clergy Reserve Lands as shall correspond with their share of the income arising from the same.

Of N. Sparks and others, of Bytown; praying that steps may be taken to restore to them certain lands in the said Town, of which the Ordnance Department has taken possession, but which have not been used for the public service.

*Petition of
N. Sparks,
referred.*

*Resolved, That the Petition of N. Sparks and others,
of Bytown, be referred to a Select Committee,
composed of Mr. Stewart of Bytown, Mr. Gowan,*

Mr. Macdonald of Kingston, Mr. Brooks, and Mr. Johnston, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers and records.

Returns to
Addresses.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House by command of His Excellency the Governor General,

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 5th instant, praying His Excellency to cause to be laid before them "a Return of the names of all Officers employed in the Office of the Provincial Secretary, the period of their service, whether permanent or temporary, how long they have been employed, and the amount of their respective Salaries."

Provincial
Revenue.

Also,

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Return to an Address of the Legislative Assembly, to His Excellency the Administrator of the Government, dated the 20th ultimo, praying that His Excellency would be pleased to direct the Inspector General to lay before them, "a Return of the Receipt and Expenditure of the Provincial Revenue, specifying the sources from which derived, and the amounts paid for each separate Branch of the Public Service, for the years 1844 and 1845, divided under the following heads; Amount of Public Debt and Interest paid thereon; Civil Government, Administration of Justice, Legislature, Pensions, Militia, Education, Agricultural Societies, Hospitals and Charitable Institutions, Public Works, maintenance of Light Houses, Emigration, Police, and Miscellaneous Expenses.

(For the said Return, see Appendix F.F.)

Petitions
Referred:--

Ordered, That the Petition of Robert Defries be referred to the Standing Committee on Contingencies.

R. Defries.

M. N. Tousignant, and J.
B. Laliberté.

Ordered, That the Petition of M. Noel Tousignant, of the County of Lotbinière, and the Petition of Jean Baptiste Laliberté, Lieutenant in the first Battalion of Militia, of the County of Lotbinière, be

referred to the Select Committee to which was referred the Bill for the better regulation of the Militia of this Province.

J. Wilson, Esq.

Ordered, That the Petition of John Wilson, of London, in the District of London, be referred to the

Select Committee to which was referred the Petition of William Hillis and others, of the District of London.

Report on
Crown Land
Department.

Resolved, That the Report of the Commissioners appointed to enquire into the state and organization of the Crown Land Department, with the accompanying Documents, be referred to a Select Committee, composed

of Mr. Thompson, the Honourable Mr. Robinson, Mr. Hall, Mr. Williams, and Mr. Chabot, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Provincial Secretary's Office.

RETURN of the Names of all Officers employed in the Office of the Provincial Secretary; the period of their Service;--whether permanent or temporary; how long they have been employed; and the Amount of their respective Salaries; prepared in compliance with an Address of the Legislative Assembly, 1845-5th May, 1846.

Names.	Office.	Date of Appointment.	Perm. or Temp.	Salary.	Remarks.
1 James Hopkin ...	Assist. Sec. (West)	10th February, 1841	Permanent.	£ 550 0 0	Temporary from 26th August, 1841.
2 Christopher Dunkin	do do (East)	19th July do		550 0 0	
3 T. D. Harrington ...	Chief Clerk ...	1st November, 1832		300 0 0	
4 Grant Powell ...	2nd do ...	May, 1839		222 4 4	
5 Thomas Ross ...	3rd do ...	November, 1839		222 4 4	
6 Henry Jammy ...	4th do ...	28th January, 1842		222 4 4	
7 Henry E. Steele ...	5th do ...	11th August, 1841		175 0 0	
8 W. H. Jones ...	6th do ...	9th June, 1842		175 0 0	
9 A. R. Roche ...	7th do ...	1st April, 1844	Temporary.	175 0 0	Employed first at 5s.
10 C. J. Birch ...	8th do ...	1st August, 1845		175 0 0	
11 C. St. G. Yarnood	9th do ...	14th March, 1846		175 0 0	
12 Sabin Tétu ...	10th do ...	23rd October, 1843		175 0 0	
13 W. R. Wright ...	11th do ...	24th April, 1844		7s 6d p.day.	
14 P. E. M'Keon ...	12th do ...	5th September, do		5s do	
15 J. L. Alpess ...	13th do ...	16th February, 1846		5s do	
16 T. H. Croasdale ...	14th do ...	21st April, do		7s 6d. do	

Exclusive of Messengers.

PROVINCIAL SECRETARY'S OFFICE,

Montreal, 12th May, 1846.

Brockville
Town Lot
Bill.

The Order of the Day for the third reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to authorise the Devises and Trustees of the Will of the late Honourable Charles Jones, to convey a Town Lot therein mentioned, to the President and Board of Police of Brockville, for the uses and purposes therein mentioned," being read;

The Honourable Mr. Baldwin moved, seconded by Mr. Taché, that the said Bill be read for the third time on this day week.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The said Bill was then read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Gowan do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same, without any amendment.

Railroad Bills.

The Honourable Mr. Robinson, from the Select Committee on Railroad Bills, with power to report from time to time, presented to the House, the Seventh Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Quebec and
Melbourne
Railroad Bill.

Your Committee have taken into consideration the Bill referred to them, to Incorporate "the Quebec and Melbourne Railroad Company," and have made several amendments thereto, which they submit to your Honourable House.

Ordered, That the Bill to incorporate "the Quebec and Melbourne Railroad Company," as reported by the Select Committee on Railroad Bills, be committed to a Committee of the whole House to-morrow.

Private Bills.

Mr. Hale, from the Standing Committee on Private Bills, presented to the House the Sixteenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Toronto Me-
chanics Insti-
tute Bill.

Your Committee have examined the Bill to Incorporate the Toronto Mechanics' Institute, and have agreed to recommend the same without amendment.

Ordered, That the Bill to incorporate the Toronto Mechanics' Institute, as reported by the Standing Committee on Private Bills, be committed to a Committee of the whole House, to-morrow.

Quebec Fires.

Mr. Brooks, from the Committee of the whole House, on the Message of his Excellency the Governor General, relative to the destruction of property by fire in the City of Quebec, reported, according to order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House; and is as followeth:--

Resolved, That it is expedient to authorize the issue of Debentures on the

credit of the Province, to an amount not exceeding one hundred thousand pounds, currency, at a rate of interest not to exceed five pounds per centum, to be employed in assisting by loan those persons who, having had their houses and buildings destroyed by the late Fires in the City of Quebec, are desirous of rebuilding; the said loan to be at a rate of interest not exceeding three pounds per centum, on due security being given for the return thereof.

Bill. Ordered, That Mr. Solicitor General Taschereau have leave to bring in a Bill enabling Her Majesty to direct the issue of Debentures to a limited amount, and for giving relief to the City of Quebec.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

"Odd Fel-
lows" Es-
tate Bill. The Order of the Day for the second reading of the Bill to enable the several Lodges of the Society of "Odd Fellows," to hold Real and Personal Estate in this Province, being read;

Ordered, That the said Bill be read a second time this day week.

Winter Road
Bill. The Order of the Day for the second reading of the Bill to amend certain Ordinances and an Act relative to Winter Roads in Lower Canada, being read;⁹

MR. DEBLEURY had introduced this bill in order to obtain for Lower Canada, those good roads of Upper Canada. He said that the only objection was as to the necessity of legislation, but as to the remedy, there is no difference of opinion.¹⁰

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The Honourable Mr. DeBleury moved, seconded by Mr. Hale, that the said Bill be now read a second time.

MR. COLVILLE deemed it a fit subject for legislation, the back townships were unable to get to market, because they used double teams, he did not believe that it would ever be put in practice unless by legislature (sic) enactment.¹¹

MR. BOULTON considered this a matter of purely a local nature, and although he repudiated the system of double legislation, yet if the Lower Canadians were not alive to their own interests, he would not lend his vote to force any measure of the sort down their throats. He would ask whether it would be right if they were in the majority to force upon us the cahots.¹²

MR. ROBINSON did not consider that it was a matter of purely local nature, for if a person starts from Upper Canada with a loaded double team, he is unable to proceed with it when he comes into Lower Canada.¹³

MR. R. MACDONALD, of Cornwall, this was a matter in which the people of the Eastern District were interested, for they were unable to use double teams, which they would otherwise do, in their intercourse with Montreal.¹⁴

MESSRS. METHOT, LAFONTAINE, LACOSTE, and LANTIER, spoke against the bill in French.¹⁵

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Mr. Jobin moved in amendment, seconded by Mr. Lacoste, that the word "now," in the said motion, be struck out, and the words "this day six months," added thereto.

MESSRS. MCCONNELL, J. S. MACDONALD of Glengary (sic), BROOKS, Cornwall, COLVILLE, spoke in favour of the Bill¹⁶.

MESSRS. METHOT, LAFONTAINE, LACOSTE ((and)) PRES. EX. COUN. VIGER ... spoke against it¹⁷.

DR. NELSON dit que son opinion quant à la supériorité des Sleighs doubles avait toujours été la même depuis bien des années; il croyait sincèrement que les cultivateurs auraient plus d'avantage à se servir de ces voitures pendant l'hiver; mais cependant il était résolu de s'opposer à cette mesure, comme étant une mesure de coercition. Nous, représentans, nous sommes les serviteurs de nos constituans, et quand nous connaissons qu'une mesure déplait généralement, nous ne devons pas la presser. Le pays a déjà été assez tyrannisé par le gouvernement pour que nous ne fassions pas à notre tour le métier de tyrans.

L'usage de la herse, est d'une grande utilité, j'ai vu les bons effets qui en résultent dans mes voyages dans l'Isle de Montréal. Si son usage devenait général, comme cela pourrait se faire, vu que les municipalités sont revêtus (sic) du droit de l'exercer, un bien grand avantage devra assurément en résulter. Quant nous aurons des chemins larges, il sera beaucoup plus facile d'aller avec deux chevaux de front. Dans plusieurs paroisses des alentours l'on voit assez communément les voitures à deux chevaux. Beaucoup de bois est apporté au marché, c'est dans ces voitures. Avec le temps, l'usage en deviendra assez général; au reste il ne faut pas forcément, changer les habitudes d'un peuple, qui sont aussi anciennes que l'habitation du pays même. Je voterai donc à envoyer à six mois le projet de l'honorable membre pour la ville de Montréal.¹⁸

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The question having been put upon the motion of amendment, a division ensued; and the names being called for, they were taken down, as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Boulton, Bouthillier, Cauchon, Chabot, Chauveau, Daly, Desaulniers, DeWitt, Jobin, Lacoste, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Méthot, Murney, Nelson, Price, Roblin, Smith of WENTWORTH, Taché, and Viger.--(28.)

NAYS.

Brooks, Colville, Cummings, DeBleury, Foster, Gowan, Hale, Macdonald of CORNWALL, Macdonald of GLENGARRY, M'Connell, Moffatt, Petrie, Robinson, Smith

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of FRONTENAC, Stewart of BYTOWN, and Stewart of PRESCOTT.--(16.)

So it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to by the House, and

Ordered, That the said Bill be read a second time this day six months.

Message from
Legislative
Council.

A Message from the Legislative Council by John Fen-
nings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

"Les Dames
Religieuses de
Notre Dame de
bon Pasteur"
Incorpora-
tion Bill.

The Legislative Council have passed the Bill, in-
titled, "An Act to incorporate Les Dames Religieuses
de Notre Dame de Charité du Bon Pasteur, at Montreal,
for the care and reformation of Femal Penitents," with-
out any amendment.

And also,

The Legislative Council have passed the following Bills, with amendments,
to which they desire the concurrence of the Assembly:--

Kingston
Incorpora-
tion Bill.

"An Act to incorporate the Town of Kingston as a
City."

Hastings
Titles Bill.

"An Act to remedy certain defects in the Registra-
tion of Titles in the County of Hastings, in Upper
Canada."

Toronto and
Huron Rail-
road Bill.

"An Act to amend an Act passed in the eighth year
of Her Majesty's Reign, intituled, 'An Act to amend an
Act passed in the sixth year of the Reign of His late
Majesty King William the Fourth, entitled, 'An Act to
incorporate the City of Toronto and Lake Huron Railroad Company.'"

And then he withdrew.

Return to
Address.

The Honourable Mr. Daly, one of Her Majesty's
Executive Council, laid before the House, by command
of His Excellency the Governor General,

River Delisle
Bridge.

Return to an Address of the Legislative Assembly,
to His Excellency the Governor General, praying His
Excellency to cause the proper Officer to lay before
the House "Copy of any Report made by the Board of Works, (if any has been
made,) on the Petition of Leonard Ravarrie and others, presented to the Leg-
islature during the last Session, praying for an aid to construct a Bridge
over the River Delisle, in the Parish of St. Ignace, in the County of
Vaudreuil."

(Copy.)

BOARD OF WORKS,
Montreal, 23rd March, 1846.

SIR,

I have the honour to return, herewith, the Memorial respecting the build-

ing of a Bridge over the Rivière à Delisle, referred to me for report.

I transmit also, for the information of His Excellency the Administrator of the Government, the Report, Plan, and Estimate of the Engineer, of the cost of constructing a Bridge in the position referred to.

I have, &c.

(Signed,) T. A. BEGLY,
Secretary.

Honourable D. DALY,
Secretary of the Province,
&c., &c., &c.

ENGINEER OFFICE,
Beauharnois, 6th March, 1846.

SIR,

With reference to your Letter of the 21st of November, enclosing a Petition from certain inhabitants of the Parish of St. Ignace, for the construction of a Bridge over "La Rivière à Delisle," at that place, and directing me to examine and report upon the site, and make an estimate of the cost of constructing such a Bridge, I have the honour to state, for the information of the Board, that I have visited the place, and made the examinations necessary to enable me to furnish the required data.

The old Bridge referred to in the Petition is situated about a mile and a half from the St. Lawrence, at which place "La Rivière à Delisle" presents nearly the same section as at the site of the Bridge at Coteau du Lac Fort. It is about 110 feet in width, with shelving banks, and varies in depth from one to four feet. The extreme rise of the water is about five feet.

The accompanying Plan is designed with the view of constructing the work on the most economical scale, consistent with rendering it capable of resisting the action of the ice, floating timber, &c.; I estimate the cost as follows:--

Quantities.	Description	Price	Amount.
			£ s. d.
3670 cub. ft.	White Pine	8½ per ft.	129 19 7
6020 ft. B.M.	Ditto ditto	60s. per	
	sawed	1000 ft.	18 1 3
1998 lbs.	Iron Boiler		
	plate bolts,		
	&c.....	6d. per lb.	49 19 9
150 cub. yds.	Loose Stone		
	in pier and		
	abutments...	2s. per yd.	15 16 0
	Embankment in approaches, &c.....		25 0 0
			£238 16 7

The total amount, two hundred and thirty-eight pounds, sixteen shillings and sevenpence, includes the cost of all materials; but supppsing these, with

the exception of the iron, to be provided and delivered at the site of the Bridge by the Petitioners, as they express their readiness to do, the above estimate will be thereby reduced by about £105, leaving for the cost of construction £133 16s. 7d. A Trust Bridge, of a single span, with stone abutments, similar to that over the same river at Coteau du Lac Fort, would cost about £325. The situation of the Bridge is on a by-road, not much travelled, except by the inhabitants on the south side of La Rivière à Delisle, between the site of the present Bridge and the village of St. Polycarpe, a distance of seven miles.

I return you, herewith, the Petition, with Mr. Lantier's letter attached, and

Remain, &c.

(Signed,) W. SHANLY.

Montreal Vote
by Ballot Bill.

The Order of the Day for the second reading of the Bill to amend an Act therein mentioned, and to establish the Vote by Ballot in the Election of Councillors and Assessors of and for the City of Montreal, being read;¹⁹

MR. LESLIE²⁰ moved the second reading of the bill for establishing vote by ballot at Municipal Elections in Montreal, he said that his object was to prevent the disgraceful riots that have occurred at these elections in Montreal. The system that he proposed to introduce was, that 15 days would be allowed for the electors to deposit their votes in the present (sic) of certain sworn Commissioners, and after this period had elapsed, the ballot box was to be taken to the Court House and opened in the presence of these Commissioners and a Circuit Judge.²¹

MR. AT. GEN. DRAPER had no objection that the Bill should be referred to a Select Committee, but he reserved to himself the right to vote against the principle of the Bill at any other period.²² He was opposed to the system of vote by ballot, and it would require some strong reason to induce him to support this bill in its present state.²³

MR. MOFFATT was against vote by ballot, but he would like to see some method adopted to secure peace at Elections, and he would vote for any system that would effect that object.²⁴ But he did not think that this bill would accomplish the object desired.²⁵ After seeing the title of the Bill, he must vote against it.²⁶

MESSRS. ... COLVILLE and JOHNSTON²⁷ were opposed to the principle of the Bill, they did not approve of the vote by ballot, but in a disorderly place, like Montreal ... ((they)) considered it necessary.²⁸

MR. R. MACDONALD, Cornwall, said he could not see what inducement there was in hon. members advocating the system of voting by ballot. It was a system which produced corruption. He knew that during the late general election in the United States that 5000 canallers employed upon the Welland Canal, went to Buffalo and voted as citizens of the "free and enlightened." He was opposed to the second reading of the Bill.²⁹

MR. LESLIE said, by the present bill corruption was prevented as every person would be required to show his certificate of qualification from the City Treasurer before he placed his vote in the ballot box.³⁰

MR. BOULTON was opposed to the bill.³¹

MR. THOMPSON supported the Bill, rather upon the ground that something was necessary to be done to prevent the recurrence of the disorder that had taken place at the late elections, than from any desire to introduce that ballott (sic)³². ((He)) was opposed to the system of voting by ballot in any ordinary country. For instance he would oppose the introduction of voting by ballot in Upper Canada, where the people were more orderly, but from the scenes he saw in Montreal during the month of March, he considered the system absolutely necessary. Those scences (sic), he said, were a disgrace to the Province.³³

MR. BALDWIN had always advocated vote by ballot, and would therefore support the present bill.³⁴ ((He)) consider((ed)) the ballot to be the best mode of election.³⁵ This system is not an un-English one; for it is adopted in numerous chartered institutions and in those clubs where the elite of society meet together. The outrages which had been perpetrated at these elections were a disgrace not only to Montreal but also to the whole Province, and therefore³⁶ he hoped that all men of influence would unite in discouraging such outrages; without this intervention, he did not believe that vote by ballot would have any effect³⁸ ((on these)) disgraceful proceedings

MR. J. A. MACDONALD, Kingston, said, if the system of voting by ballot was beneficial to Montreal, it would be equally so in all parts of the Province and in the House.³⁹ He did not see how the ballot could be introduced in the Municipal Electors in a large city like Montreal without opening the door to its introduction in other elections.⁴⁰ What is the principle which the ballot system advocates? To obtain the secrecy of a vote.⁴¹ The reason it was advocated in England was to obtain secrecy, and to prevent the landlord's influence over the tenant. But here there was no such state of things, and no occasion for such a system.⁴² The people ... ((here)) had no one exercising an illegitimate influence over them, as in England and other European countries. Every man in Canada would, and did, make public his opinions, and therefore defeated the object of the ballot.⁴³ Now, the present bill was intended to prevent violence, but if this secrecy were obtained, it would only tend to augment the violence, which it was desirable to put a stop to. - If a man were about to vote at an election, for instance, when the Candidates were respectively French and English, he would be knocked on the head by the opposite party, because he was a Frenchman or an Englishman, irrespective of his vote.⁴⁴ By that system the innocent would frequently suffer with ((the)) guilty. When there were such a connexion (sic) of different races, each would be expected to vote for his countryman, and ((be)) treated accordingly by the party in opposition.⁴⁵ So far from being any protection against fraud, it frequently happened in the State of New York, that a great many more votes were given than were electors in the place.⁴⁶ ((For example)) one-fourth more votes were found in the ballot boxes than existed in the city⁴⁷. It was notorious that 5,000 labourers left the Welland Canal to vote at Buffalo, on the last Presidential election, and no remedy existed for the abuse⁴⁸. The ballot box was in the hand (sic) of political partisans, that was the only evidence, there could be no scrutiny, as in this country.⁴⁹ Should any person be

charged of being elected by false votes, it could be examined by the House.⁵⁰

MR. ROBINSON said, he agreed in the remarks of the member for Kingston. He had been a good deal struck by a remark of Sydney Smith's on the subject of the ballot: he said that it would enable a man to take bribes from two Candidates and vote for neither. The system had been found to work badly in the United States.⁵¹

MR. ROBLIN considered this the strongest argument that could be advanced in favour of vote by ballot, for it would destroy that abominable system of bribery, by making the party who gives the bribe uncertain that the other party will vote as he desires.⁵² ((He)) was no great advocate for the ballot, but he thought it necessary for Montreal; he considered that the reason it worked so badly in the United States was, because they had there Universal Suffrage - a system he despised.⁵³ ((However)) during the last Presidential election in the United States, notwithstanding they have universal suffrage, not a single individual was killed; while in Canada, with no more than a tithe of the population of the United States, there were two persons who lost their lives at the last general election.⁵⁴

MR. PRICE was in favour of the application of the principles of the ballot to elections⁵⁵. One of the arguments urged against the ballot was that it was anti-British; in this hon. members were mistaken, the ballot was commonly used in England, in the Bank of England, one of the largest institutions in the kingdom, the ballot was the means by which questions were decided; so it was with those kings of merchants as they have been called, the Directors of the East India Company, and with all the⁵⁶ important⁵⁷ chartered institutions in England; again, the peers of England as well as the Commons, choose all their Committees by ballot. With regard to the cowardice of a man giving his vote without disclosing his name and intention, it might be answered that such was not compulsory under the ballot, any man might vote as publicly as he pleased, but if it were desirable or prudent to act otherwise the ballot afforded him that protection. He (Mr. Price) could inform hon. members of a case that came under his own view in which a man lost his life at an election, by being obliged to declare for whom he voted; it was in the county of Durham in Upper Canada, the man was not known to those about the poll, but when he named the candidate for whom he voted he was that moment killed, his brains were knocked out.⁵⁸ Although the same reasons for desiring secrecy (sic) did not exist, here, as those which existed in England, yet there were many occasions when⁵⁹ there was ... an indirect influence used at elections which amounted to absolute tyranny, and which parties might protect themselves against by means of the ballot; he (Mr. P.) remembered an election in Toronto in which the Sheriff was a candidate, there was no doubt that there were scores of writs against parties in the Sheriff's hands at the time, and although he was satisfied that officer did not in any way avail himself of such a circumstance, still it could not be doubted that it had effect upon those of his opponents who knew that they were thus at his mercy. Similar influence might also be used, and was used by contractors over the men they employ in such places as Toronto and Montreal. The ballot would protect the employed in such cases by enabling them to vote quietly, and without stating who they favoured or opposed. Another advantage of the ballot was, that an immense

loss of time was saved by it. (Hear.) He agreed with the hon. mem. for Montreal that the sooner an election was got rid of the better he would advise the number of polling places to be increased so that all the votes could be taken in the shortest possible time. He would vote in favour of the bill, and contended that the ballot was the best protection for the voter, and gave him the true right of a British subject to exercise his franchise according to his conscience. It had been urged by⁶⁰ the member for Kingston ... as such an advantage,⁶¹ that candidates who had been defeated by unfair means had ample opportunity of obtaining satisfaction by the scrutiny now afforded, and which, under the ballot, would not be allowed. Could such an argument be seriously urged after the result of the contested elections lately disposed of by this House, contests that had been carried on for eighteen months at an enormous expense to the petitioner, had ended in disappointment and vexation by being decided not upon their merits but upon some legal or technical difficulty! Had not a Committee of that House seated the hon. member for the Third Riding of York having a minority of votes, and unseated an hon. friend of his (Mr. P's) possessing a majority of legal votes. If he (Mr. P.) were defeated at the Poll, nothing on earth could induce him to petition this or any other House against the successful candidate.⁶²

MR. MONRO thought the remarks of the last speaker to be uncalled for: if there had been a scrutiny, it would have been found that he had a majority of votes, at any rate he had double as many as that hon. gentleman.⁶³

MR. G. MACDONELL, of Dundas, said that if the bill to incorporate the city of Montreal was before the House for the first time, he would not agree to vote by ballot, but he could not forget the scenes of violence he saw at Municipal elections in Montreal, and he was willing to apply an extraordinary remedy to an extraordinary (sic) case.⁶⁴ ((He)) agreed to the remarks of the previous speakers; he had been a witness of these scenes, and desired to see some remedy adopted to prevent their recurrence.⁶⁵ ((He)) had always been opposed to vote by ballot, but thought that as no other plan had been proposed, he should be obliged to vote for this, as an attempt, at least, to protect voters from violence.⁶⁶ The hon. member then referred to a remark made by the hon. member for the South Riding of York (Mr. Price) respecting the decision of the committee in the case of Mr. Small, of which committee he (Mr. M'D) had been a member; he thought no one should dare to impugn that decision; it was recorded under oath; and was founded upon the fact of Mr. Small not being qualified, which was the same in fact as if an alien were elected⁶⁷. He considered his remarks as unjustifiable⁶⁸ ((and)) wished to know if the hon. member implied improper conduct to him on that committee?⁶⁹

MR. PRICE said he meant to impute nothing to the Committee, he merely stated the fact that there had been a scrutiny, and the Member in the minority was declared duly elected.⁷⁰

MR. R. MACDONALD, of Cornwall, without rising. "If I had been a member of the committee, I would thrust your words down your throat."⁷¹

MR. MORIN. - MR. SPEAKER, "order, order."⁷²

MR PRICE said he never had, and would not then condescend to listen to or answer any of the remarks of the hon. member for Cornwall, but he entertained a respect for the hon. member for Dundas, and was desirous of setting

him right on the subject of the 3rd York committee. He (Mr. Price) had contended that it was a hopeless business to petition this House against any sitting member, from the uncertainty of the law, and the immense trouble and expense attending such petitions, and he had reverted to the late contests before this House, and amongst the rest he had alluded to the decision upon the Third York committee, where the member representing a minority had been seated, and the gentleman representing the majority expelled. He imputed no improper conduct to the hon. member for Dundas on that committee; he could not, for he (Mr. P) had not attended the investigation, and he believed the hon. member had acted conscientiously in the matter.⁷³

MR. J. S. MACDONALD, of Glengarry, thought that every person who had heard of the atrocities committed at the Montreal elections would admit something must be done to put a stop to them⁷⁴. ((He)) was opposed to the system of vote by ballot,⁷⁵ on principle,⁷⁶ as unfit for freemen; but when the people of Montreal had shown themselves unworthy of the franchise, and incapable of exercising it in peace and quiet, let them have the curfew⁷⁷ (hear)⁷⁸ of the ballot as a punishment,⁷⁹ to bring them to their senses,⁸⁰ and when they knew how to behave better, let it be taken away.⁸¹

MR. ERMATINGER said that with respect to the argument made use of by the hon. member for the First Riding of York, that voting in Banks and similar establishments was carried on by ballot, it was absolutely necessary in commercial establishments, where secrecy was required; but the vote by ballot, when used for the election of representatives, was a very different thing; instead of being a means to protect the freedom of election, it engendered corruption in its very worst form. Did it ever prevent riots and bloodshed as had been asserted? Let hon. gentleman look to the United States, and they would be found occurring as frequently there as in any other place. And how could it be otherwise, when the political leanings of every voter were well known, no matter what form of voting might be adopted. His opinion of the vote by ballot was that it encouraged immorality; and what could be worse than secret guilt, a man lying to his own conscience, and individuals who had witnessed the working of the system had frequently stated to him that such was the case.⁸²

MR. COLVILLE asked if the principle of the bill was the vote by ballot, or whether it was an intention to put a stop to the horrible system of conducting elections in Montreal? If the latter, he was prepared to vote for it; but if by voting for the second reading an assent was given to the ballot system, he would certainly oppose it. He did not intend to enter into any discussion respecting the vote by ballot, as⁸³ any one who had read Sidney Smith's pamphlet on the ballot, would have had enough of it; he would prefer that the rioting should continue than vote for the ballot.⁸⁴ His opinions had been much better expressed in the words of Sydney Smith, but he thought other means might be adopted in order to secure a peaceful election; for instance, increasing the number of polling places, which he had no doubt would be efficacious, but his repugnance to the villainous ballot system was so strong that rather than it should be introduced into the colony, he would prefer that the Montreal election should be carried on as usual.⁸⁵

MR. DICKSON was at a loss to discover how this balloting would prevent

riots from occurring, for he understood that during the riots the polls were taken possession of by one of the parties,⁸⁶ so that whether persons wished to vote by ballot or viva voce made no matter, for they could not get near the poll.⁸⁷ In short, it would make little difference to a man going to the poll whether he had a ticket in his pocket or not, provided he was intercepted in (sic) the way. - Now as to the remarks made on the ballot being used in England, hon. members must be aware that amongst mercantile men there was no need for the intense excitement occasioned by political feelings; aye, and as the hon. member for Simcoe said, they knew what name was on the ticket.⁸⁸ The Member for Glengarry had said that the system was so bad that he wished to add a curse to it, which was just what this measure would do.⁸⁹ He must say that he thought that was the most correct view of the matter, and it had made a very forcible impression on his mind, and as he could not believe it would have the effect desired by the introducer of the bill, he would vote against it.⁹⁰

MR. LESLIE said, that his intention in introducing the Bill, was only to obtain the adoption of some measures for the more peaceable conduct of elections.⁹¹

MR. SMITH, of Frontenac, was opposed to the ballot system being introduced into this Province. He would inform the hon. gentleman who had charge of the bill that in the cities in Upper Canada, where they have the votes registered, the polling is concluded within four or five hours, and consequently there is very little rioting; and if he would amend his bill and propose some other remedy which would have the desired effect, he (Mr. S.) would support it.⁹²

MR. LESLIE said, that he was not attached to the principle of vote by ballot, but he desired to prevent the rioting that occurred at elections in Montreal.⁹³ ((He)) had no great objection to withdraw that clause in the bill which referred to the ballot.⁹⁴ He would be very willing to refer the bill to a Select Committee.⁹⁵

MR. DEWITT said that in the ballot system there was full security against fraud, as a register of votes was delivered to the returning officer, and consequently it was impossible to have more votes in the ballot box than there were votes.⁹⁶

MR. SCOTT was in favour of the second reading of the bill, for he believed there was but one opinion as to the disgraceful scenes which had taken place in Montreal. The remedy was not too severe, Liverpool had been disfranchised for similar occurrences, but if it were a curse as the hon. member for Glengarry said let them take it, it would be a lesson to them.⁹⁷

MR. LESLIE agreed to refer the Bill to a Committee for the purpose of considering what means could be adopted to secure peace at the Municipal Elections, with an instruction to strike out the portion of the Bill relative to the Ballot. He moved that the Committee should be Messrs. Papineau, Lafontaine, Drummond, DeWitt and the mover.⁹⁸

No sooner were the names heard than a dozen members were on their legs speaking at once against the Committee.⁹⁹

MR. MOFFATT objected to the Committee, it was a most one-sided proceeding; in common decency one or two members on this side of the House ought to have been named as members of the Committee.¹⁰⁰

MR. HALL considered the proceeding as most disingenuous; it was an attempt to pack a Committee of persons whose republican principles were so well known that no other report could be expected from them, but one in favour of the Ballot. He had not expected such a barefaced proceeding after the majority of this side had only consented to vote for the second reading with the understanding that the Ballot should be struck out.¹⁰¹

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The said Bill was accordingly read, and referred to a Special Committee, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That Mr. Leslie, Mr. Drummond, Mr. DeWitt, Mr. Macdonald of Kingston, and Mr. Hale, do compose the said Committee.

Mr. Macdonald of Cornwall, moved, seconded by Mr. Petrie, that it be an instruction to the said Committee to strike out that part of the Bill which

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relates to the Vote by Ballot.

The question having been put upon the said motion, a division ensued:--

Yeas 26

Nays 23

So it was carried in the affirmative,

MESSRS. LAFONTAINE and LESLIE ... ((voted)) with the majority.¹⁰²

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and

Ordered, Accordingly.

*Grand River
Floods.*

The Order of the Day for the House in Committee on the Report of the Select Committee to which was referred the Petition of Robert H. Bruce, Esquire, and others, inhabitants residing on the Grand River, in the County of Haldimand, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cummings took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Cayley,

*Common
School Bill,
(U. C.)*

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada," be now taken into con-

sideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 17, Line 1.--After "School" insert "and from any Common School District."

And the said amendment being again read, and the question being put thereon, it passed in the negative.

Resolved, That a Select Committee composed of the Honourable Mr. Attorney General Draper, Mr. Macdonald of Kingston, and Mr. Price, be appointed to draw up Reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendment made by their Honours to the Bill, intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada."

The Honourable Mr. Attorney General Draper, from the Select Committee appointed to draw up Reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendment made by their Honours to the Bill, intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada," reported that the Committee had drawn up the said Reasons; which Reasons were again read at the Clerk's table, and agreed to by the House; and are as followeth:--

1st. Because the effect of the said amendment will be to permit children from several School Sections to attend together at one separate School.

2nd. Because the share of the School monies to which such separate School will be entitled, will be regulated by the proportion which the children attending such separate School bears to the number of children within the School Section wherein such separate School is held.

3rd. Because the consequence will be, that a single School Section will have to bear the burden of the education of not only the children of other School Sections who may attend such separate School, without any assistance from other School Sections, or any share of the School monies to which these other Sections are entitled.

4th. Because without other changes in the Bill it is very doubtful whether the Trustees of the School Section in which such separate School is held could make out a Rate Bill and enforce payment from the parents of children who are sent to the separate School from School Sections other than that within which it is held.

Resolved, That a Conference be desired with the Honourable the Legislative Council, for the purpose of communicating to them the Reasons which induced this House not to concur in the amendment made by their Honours to the Bill, intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada."

Ordered, That the Honourable Mr. Attorney General Draper do go to the Legislative Council, and desire the said Conference.¹⁰³

Titles before
Notaries Bill,
(L. C.)

The Order of the Day for the House in Committee on the Bill to remove all doubts as to the validity of certain Deeds, Instruments, and Documents, executed before Notaries in Lower Canada, and to secure the rights, titles and interests of all persons concerned therein, being read;

The House accordingly resolved itself into the said Committee.

Mr. Christie took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Christie reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Bytown Incorporation Bill.

The Order of the Day for the House in Committee on the Bill to define the limits of Bytown, and to establish a Town Council therein, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Wentworth, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Wentworth reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Lotbinière Court and Registry Office Bill.

The Order of the Day for the second reading of the Bill to provide for the removal of the place of holding the Circuit Court in the County of Lotbinière, from Ste. Croix to Lotbinière, and of the Registry Office of the said County, from the place where it is now held to Ste.

Croix, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Gaspé Marriages Bill.

The Order of the Day for the House in Committee on the Bill to make provision for the legal proof and preservation thereof, of certain informal marriages had anterior to a certain date therein mentioned, before Justices of the Peace and others, in the Inferior District of Gaspé, as ratified by Act of the Legislature of Lower Canada, but whereof no register or records have been kept, and for recording the same, including also certain births or baptisms, and burials, in the said District, being read;

The House accordingly resolved itself into the said Committee.

Mr. Thompson took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Thompson reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

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Orders Postponed.

Mr. Chabot moved, seconded by Mr. Taché, that the remaining Orders of the Day be postponed until to-morrow.

The question having been put upon the said motion, a division ensued.

Yeas 13.
Nays 10.

So it was carried in the affirmative, and

Ordered, Accordingly.

*Then, on motion of Mr. Chabot, seconded by Mr. Cauchon,
The House adjourned.*

APPENDIX, 13 MAY 1846.

((QUESTION AND ANSWER RE: COMMISSION TO ENQUIRE INTO MANAGEMENT OF BOARD OF WORKS.))

MR. ARMSTRONG ((asked a question)) relative to the commission to enquire into the management of the Board of Works¹⁰⁴.

MR. INSP. GEN. CAYLEY stated that the Committee had gone down to see the works on Lake St. Peter, in order to report upon them; they had invited the Board of Trade, together with Captain Boxer, and other persons, to accompany them, and having done so, the commission had prepared a report, and had asked the Board of Works to prepare another; of course that body would do what it thought proper, but the report of the commission would certainly be sent down.¹⁰⁵

((WITHDRAWN BILL RE: BRITISH AMERICAN MINING COMPANY.))¹⁰⁶

MR. BOULTON, for Mr. M'Donald (Kingston,) moved the second reading of the British American Mining Company's Bill.¹⁰⁷ He said that different parties had received licenses to explore the northern shore of Lake Superior, in order to discover the mineral wealth of that region, after the exploration was made these parties were bound to make a return to the Government of the result of their labours, and then the Government were to lease any mines that might be discovered, at such rates as might be afterwards determined upon.¹⁰⁸

MR. BALDWIN said he understood that this company was to be incorporated to work the mines on Lake Superior, now if that were so, he would like, before giving his vote, to have some information upon the subject of certain licenses which were said to have been granted to individuals who had explored these countries.¹⁰⁹

MR. BOULTON and MR. MOFFATT explained.¹¹⁰

The latter gentleman, MR. MOFFATT, said that no other privilege had been granted to any persons than that of running the risk of expending their money on surveys which, perhaps, might never produce any result¹¹¹, with the proviso that if mines were discovered, the grantee became entitled to a preemption right of a tract two miles wide and five long, on such terms as the Government chose to dictate.¹¹² If those terms were too high, the privilege would just amount to a right to abandon the money spent.¹¹³

MR. LAFONTAINE maintained that the Government should not have granted these rights to individuals, but have advertised them, in order that the whole Empire might have an opportunity of reaping equal advantages.¹¹⁴ It was said that some of these licenses had been sold for several thousand dollars to persons in the United States.¹¹⁵ It was absurdity to grant rights to property, before it was known what that property was worth, and if the country was to be explored, it should be explored by the geological surveyor of the Province, and then put up to sale in the same way as the Crown Lands.¹¹⁶ The mines of Lake Superior were said to be very valuable,

and until there was more information before the House they could not vote for the Bill.¹¹⁷

MR. MOFFATT said that the course which the hon. member for Terrebonne thought should have been ... taken would, in his (Mr. Moffatt's) opinion, have put the Government to an expense of thousands of pounds, without, after all, producing the same advantages which were likely to be obtained under the present system. He thought that the Government had been right in following the course which had been taken by the Americans on the other side of the Lake, and that so far from the hon. member complaining of the encouragement given to persons who were willing to advance their capital for the purposes of these enterprises, he ought rather to be pleased at the impetus given to the industry of the country by these undertakings, which could never proceed if people stood with their arms folded, as the hon. member was doing at that moment, without making any exertion. He (Mr. Moffatt) would not vote on this measure, because he was interested, but there was nothing to prevent him from giving an explanation.¹¹⁸

MR. MONRO was opposed to this bill because he feared that people who had already made surveys, would be deprived of their rights. In support of this view, the hon. gentleman laid a map on the table which, he said, showed that the Company proposed to take the very best part of the District which had been surveyed by others.¹¹⁹

MR. MOFFATT saw that a tract was marked on the map as having been surveyed by Messrs. Moffatt and McGill, but the fact was that he knew nothing of the map, except that he believed it had been sent from New York.¹²⁰ ((He)) denied that it had been published with their consent, but by some parties with whom they had been connected, but which connection had been dissolved in the spring on account of the state of relations between Great Britain and America.¹²¹

MR. BALDWIN said, that notwithstanding the explanation which had been given by Messrs. Boulton and Moffatt, he could not help believing that the privilege granted by these licenses was in fact a valuable one. It was at least the right of preemption on any valuable property that might be discovered, and if he was rightly informed, the licenses had been transferred from hand to hand at prices of some thousands of dollars for each. He had no objection that parties who made surveys should derive a benefit from doing so, if the Government came to the conclusion that it had not the funds to make the surveys itself, but he contended that it should have first of all announced its intention to admit all parties to the opportunity of obtaining the same advantage, if they chose to compete for it.¹²² ((He)) considered that the Government had not acted properly in granting these licenses ... and as this was one of the revenues of the crown which have been granted to the Provincial Parliament, in place of a Civil List, they ought to endeavour to make the most of it.¹²³ It was rather remarkable, that out of twenty-two¹²⁴ names of persons who had received licenses, no less than six¹²⁵ were members of that House. - Then again he heard that the licenses were now stopped so that fresh persons were prevented from obtaining the same privileges as those accorded to the parties who had already received licenses. Now that stoppage of the licensing must be

wrong, if the granting of them had been right. He was disposed to think that it was right; but if so, as he before remarked, the granting of them must have been wrong.¹²⁶

MR. AT. GEN. DRAPER would not enter into a discussion as to the granting of these licenses, because he thought it would, at that time, be premature and out of place. Whenever the proper time arrived he would be prepared to justify the conduct adopted by Government and had no doubt that his hon. friend opposite would be led to change his opinion when he knew the entire plan on which Government proposed to proceed.¹²⁷ When ... Government policy in this matter ... was ... fully developed ... honourable members would find that the fullest regard had been had to the interests of the country.¹²⁸ To come, then to the question of the second reading of this bill he must say that he was taken entirely by surprise to find such a measure introduced without communicating with the Ministry.¹²⁹ The Bill before the House was certainly a most extraordinary one, introduced as it had been without the regular formalities.¹³⁰ He was especially surprised because of the very extraordinary provisions contained in the 5th Sect.¹³¹ He found ... ((there)) a most dangerous assumption of power¹³². It was as follows:-

"V. And be it further enacted. That it shall be lawful for the said Corporation to engage in and follow the occupation and business of carrying on exploration for, and of finding and digging the said copper and other ores, and manufacturing the same for the benefit of the said Corporation on any part of the British shores of Lake Superior and Lake Huron, or their vicinity, or on the shores or vicinity of the shores of the tributaries of the said Lakes; to make and continue exploration and discovery of the ores, mines and minerals aforesaid, and to work and dispose of the same." Now that conferred what certainly did appear to him to be most extraordinary and unlimited powers, powers which interfered directly with the property of the Crown¹³³, an assumption of the prerogative of the Crown he could not sanction.¹³⁴ Whether the last clause was meant to limit that power he could not tell, but as it stood - beginning as it did with the words "and it shall also" - it was no limitation at all. This sect. "and it shall also be lawful for the said Corporation to dig, sink, make and work mines &c. upon or under the surface of the lands &c. so to be acquired by them by grant &c." That was a very proper qualification but in the existing form did not appear to him to be an effective one. He also objected to the second sect. which authorized the establishment of the Company on the most extraordinary basis of £50,000 shares at £2 each.¹³⁵ He did not consider such a petty corporation entitled to limited liability.¹³⁶ Now that did not appear to him to be the sort of association which ought not to receive the favour of an act of incorporation, although he would perhaps be prepared to admit that a mining Company was one of those which ought to receive the privilege of limited liability.¹³⁷ Beyond these objections, he had nothing more against the Bill, than that it would be better to wait until the Government had¹³⁸ the returns which the persons who obtained the licenses, are bound to make, and until these returns are received, he conceived it better to postpone the passing of this bill.¹³⁹

MR. BOULTON spoke at some length on the necessity of developing the mineral and other resources of these regions. If Canada did not do so, the

Americans would, and in consequence of their enterprise in the Fisheries last year, 60,000 barrels of fish were taken and sent to the South.¹⁴⁰

MR. COLVILLE was against the limited liability of these mining companies, but if it was granted to one, it would be better to grant it to all by a general measure.¹⁴¹

MR. J. A. MACDONALD had been absent at the commencement of the discussion. On looking over the Bill he did think the fifth clause objectionable, and as the godfather of the Bill, he must take his share of the blame; but the infringement of the prerogative of the Crown was unintentional. He hoped the Bill would be read a second time, and the necessary alterations made in Committee. The Bill was drafted on the petition of Messrs. Moffatt, M'Gill, and Logan.¹⁴²

The Bill was withdrawn.¹⁴³

FOOTNOTES - 13 May 1846.

1. PILOT, 14 May 1846, observed: "The business was of small amount."
2. The debate on the petition was reported by: LA MINERVE, 18 May 1846, and LE CANADIEN, 25 May 1846, in identical accounts.
3. LA MINERVE, 18 May 1846.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. The debate on this matter was reported by: LA MINERVE, 18 May 1846, and LE CANADIEN, 25 May 1846, in identical accounts; and MIRROR, 13 May 1846, and PILOT, 19 May 1846, in identical accounts. There is a commentary in L'AUREOLE, 16 May 1846.
10. MIRROR, 13 May 1846.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID. The MIRROR refers to Cornwall as a member, we have inserted the name of the member of that constituency. However, it is also possible that the reporter mistook someone's name and identified it as a Mr. Cornwall.
17. MIRROR, 13 May 1846.
18. LA MINERVE, 18 May 1846.
19. The debate on this matter was reported by: MIRROR, 13 May 1846, and PILOT, 19 May 1846, in identical accounts; MONTREAL GAZETTE, 15 May 1846; and MONTREAL TRANSCRIPT, 16 May 1846. The debate was noted in BRITISH COLONIST, 19 May 1846; PILOT, 14 May 1846; and LA MINERVE, 14 May 1846. A commentary is contained in MONTREAL GAZETTE, 28 May 1846. According to the BRITISH COLONIST, 15 May 1846, "A hot discussion took place." The PILOT, 14 May 1846, referred to a "considerable discussion".
20. The MONTREAL TRANSCRIPT, 16 May 1846, reported that LaFontaine moved the second reading.
21. MIRROR, 13 May 1846.
22. MONTREAL GAZETTE, 15 May 1846.
23. MIRROR, 13 May 1846.
24. MONTREAL GAZETTE, 15 May 1846.
25. MIRROR, 13 May 1846.
26. MONTREAL GAZETTE, 15 May 1846.
27. MONTREAL TRANSCRIPT, 16 May 1846.
28. MONTREAL GAZETTE, 15 May 1846.
29. MIRROR, 13 May 1846.
30. IBID.
31. IBID.
32. MONTREAL TRANSCRIPT, 16 May 1846.
33. MIRROR, 13 May 1846.
34. IBID.

35. MONTREAL TRANSCRIPT, 16 May 1846.
36. MIRROR, 13 May 1846.
37. MONTREAL GAZETTE, 15 May 1846.
38. MIRROR, 13 May 1846.
39. IBID.
40. MONTREAL GAZETTE, 15 May 1846.
41. MIRROR, 13 May 1846.
42. MONTREAL GAZETTE, 15 May 1846.
43. MIRROR, 13 May 1846.
44. MONTREAL TRANSCRIPT, 16 May 1846.
45. MIRROR, 13 May 1846.
46. MONTREAL TRANSCRIPT, 16 May 1846.
47. MONTREAL GAZETTE, 15 May 1846.
48. MONTREAL TRANSCRIPT, 16 May 1846.
49. MONTREAL GAZETTE, 15 May 1846.
50. MIRROR, 13 May 1846.
51. MONTREAL GAZETTE, 15 May 1846.
52. MIRROR, 13 May 1846.
53. MONTREAL GAZETTE, 15 May 1846.
54. MIRROR, 13 May 1846.
55. MONTREAL TRANSCRIPT, 16 May 1846.
56. MIRROR, 13 May 1846.
57. MONTREAL GAZETTE, 15 May 1846.
58. MIRROR, 13 May 1846.
59. MONTREAL TRANSCRIPT, 16 May 1846.
60. MIRROR, 13 May 1846.
61. MONTREAL GAZETTE, 15 May 1846.
62. MIRROR, 13 May 1846.
63. MONTREAL GAZETTE, 15 May 1846.
64. MIRROR, 13 May 1846.
65. MONTREAL GAZETTE, 15 May 1846.
66. MONTREAL TRANSCRIPT, 16 May 1846.
67. MIRROR, 13 May 1846.
68. MONTREAL GAZETTE, 15 May 1846.
69. MIRROR, 13 May 1846.
70. MONTREAL GAZETTE, 15 May 1846.
71. MIRROR, 13 May 1846.
72. IBID.
73. IBID.
74. IBID.
75. MONTREAL GAZETTE, 15 May 1846.
76. MIRROR, 13 May 1846.
77. MONTREAL GAZETTE, 15 May 1846.
78. MIRROR, 13 May 1846.
79. MONTREAL GAZETTE, 15 May 1846.
80. MIRROR, 13 May 1846.
81. MONTREAL GAZETTE, 15 May 1846.
82. MIRROR, 13 May 1846.
83. IBID.

84. MONTREAL GAZETTE, 15 May 1846.
85. MIRROR, 13 May 1846.
86. IBID.
87. MONTREAL GAZETTE, 15 May 1846.
88. MIRROR, 13 May 1846.
89. MONTREAL GAZETTE, 15 May 1846.
90. MIRROR, 13 May 1846.
91. MONTREAL GAZETTE, 15 May 1846.
92. MIRROR, 13 May 1846.
93. MONTREAL TRANSCRIPT, 16 May 1846.
94. MIRROR, 13 May 1846.
95. MONTREAL TRANSCRIPT, 16 May 1846.
96. MIRROR, 13 May 1846.
97. IBID.
98. MONTREAL GAZETTE, 15 May 1846.
99. IBID.
100. IBID.
101. IBID.
102. MONTREAL TRANSCRIPT, 16 May 1846.
103. There is a brief commentary on this matter in BRITISH COLONIST, 15 May 1846.
104. MONTREAL TRANSCRIPT, 16 May 1846.
105. IBID.
106. The debate on the Bill was reported by: MONTREAL GAZETTE, 15 May 1846, CHATHAM GLEANER, 2 June 1846, and BRITISH COLONIST, 22 May 1846, in identical accounts; MIRROR, 13 May 1846, and PILOT, 19 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 16 May 1846; and LE JOURNAL DE QUEBEC, 16 May 1846.
107. MONTREAL GAZETTE, 15 May 1846.
108. MIRROR, 13 May 1846.
109. MONTREAL TRANSCRIPT, 16 May 1846.
110. IBID.
111. IBID.
112. MONTREAL GAZETTE, 15 May 1846.
113. MONTREAL TRANSCRIPT, 16 May 1846.
114. IBID.
115. MONTREAL GAZETTE, 15 May 1846.
116. MONTREAL TRANSCRIPT, 16 May 1846.
117. MONTREAL GAZETTE, 15 May 1846.
118. MONTREAL TRANSCRIPT, 16 May 1846.
119. IBID.
120. IBID.
121. MONTREAL GAZETTE, 15 May 1846.
122. MONTREAL TRANSCRIPT, 16 May 1846.
123. MIRROR, 13 May 1846.
124. MONTREAL TRANSCRIPT, 16 May 1846. The MONTREAL GAZETTE, 15 May 1846, reported the number as thirty.
125. MONTREAL TRANSCRIPT, 16 May 1846. MONTREAL GAZETTE, 15 May 1846, reported the number as four.
126. MONTREAL TRANSCRIPT, 16 May 1846.

127. IBID.
128. MONTREAL GAZETTE, 15 May 1846.
129. MONTREAL TRANSCRIPT, 16 May 1846.
130. MONTREAL GAZETTE, 15 May 1846.
131. MONTREAL TRANSCRIPT, 16 May 1846.
132. MONTREAL GAZETTE, 15 May 1846.
133. MONTREAL TRANSCRIPT, 16 May 1846.
134. MONTREAL GAZETTE, 15 May 1846.
135. MONTREAL TRANSCRIPT, 16 May 1846.
136. MONTREAL GAZETTE, 15 May 1846.
137. MONTREAL TRANSCRIPT, 16 May 1846.
138. MONTREAL GAZETTE, 15 May 1846.
139. MIRROR, 13 May 1846.
140. MONTREAL GAZETTE, 15 May 1846.
141. IBID.
142. IBID.
143. IBID.

THURSDAY, 14 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table:--

By the Honourable Mr. Robinson,--The Petition of R. C. Gapper and others, of Yonge Street and its vicinity, in the Home District.

By Mr. Macdonald of Kingston,--The Petition of William Winder and others, Officers and Clerks of the Legislative Assembly.

By the Honourable Mr. Aylwin,--The Petition of Donald Cameron of Thorah, in the Home District.

By the Honourable Mr. DeBleury,--The Petition of Mrs. Margaret E. V. Reeves, wife of Thomas Metzler, and others, of the River St. Pierre, in the Parish of Montreal.

By Mr. Boulton,--The Petition of King's College Council, at York, now Toronto.

Lotbinière
Court and
Registry Of-
fice Bill.

An Engrossed Bill for the removal of the place of
holding the Circuit Court in the County of Lotbinière,
from Ste. Croix to Lotbinière, and of the Registry Of-
fice of the said County, from the place where it is now
held to Ste. Croix, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Laurin do carry the said Bill to the Legislative Council,
and desire their concurrence.

Titles before
Notaries Bill.

An Engrossed Bill to remove all doubts as to the
validity of certain Deeds, Instruments, and Documents,
executed before Notaries in Lower Canada, and to secure

the Rights, Titles, and Interests of all persons concerned therein, was read
for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Taschereau do carry the said Bill to the
Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following
Petitions were read:--

Of Luc Michel Cressé, of the Parish of Nicolet, Esquire; praying to be
reimbursed certain sums paid by him for certain Letters Patent.

Of the Honourable James Crooks; praying to be indemnified for the loss
of a vessel on Lake Ontario, during the late war with the United States.

Of John M'Gillivray and others, of the Townships of Charlottenburgh and
Lancaster, in the County of Glengarry, complaining of certain abuses in the
Post Office department of the said County, and praying relief.

Petitions
referred:--

On motion of Mr. Macdonald of Kingston, seconded by
the Honourable Mr. Robinson,

W. Winder,

Ordered, That the Petition of William Winder and others,

et al. *Officers and Clerks of the Legislative Assembly; praying that enquiry be made into the nature and extent of their services, and the amount of their remuneration, be now read, and that the Rule of this House of the twenty-eighth June, 1841, be suspended as to the present Petition.*

The said Petition was read accordingly.

Ordered, That the said Petition be referred to the Standing Committee on Contingencies.

A. M'Leod. *Resolved*, That the Petition of Alexander M'Leod of Stamford, be referred to a Select Committee composed of Mr. Dickson, Mr. Gowan, Mr. Price, Mr. Hall, and Mr. Cummings, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Boulton, seconded by the Honourable Mr. Robinson,
King's College Council. *Ordered*, That the Petition of King's College Council, at York, now Toronto, praying to be heard by Counsel at the Bar of the House, with reference to the Bills relating to the said College; and that time be allowed them to prepare for that purpose, be now read, and that the Rule of this House, of the twenty-eighth of June, 1841, be suspended as to the present Petition.
*The said Petition was read accordingly.*¹

MR. BOULTON also moved that Counsel be heard on Thursday next.²

MR. BALDWIN took that occasion to complain of the small number of copies of the College bill that had been printed; he had not had any to send to parties interested in the measure, and who ought to be fully informed of its nature; he would have, even, sent a copy to the College; it was wrong that the principal should have to complain, as he did in the petition, that it was only "casually" he heard of the intention of the Legislature. (Laughter.)³

MR. ARMSTRONG, as a member of the printing committee, would state that it was the duty of those who introduced a bill to move for the printing of extra copies if they required it; he was not aware of such an application ever having been refused.⁴

MR. BALDWIN was glad to hear the explanation of the hon. member, and he hoped that in future it would be understood that the printing of a sufficient number of bills was in the hands of hon. members themselves.⁵

MR. HALL opposed the motion as being intended only to procure delay; the motion ought to have been made when the Bills were brought in.⁶

MR. BOULTON said he had only received the Petition to-day, and before having done so could not have taken it upon himself to move in the matter. The hon. member read some remarks from a newspaper which he did not name.⁷

MR. GOWAN would vote against the motion as one for delay. The Bills before the House were the same as last Session, and if the College desired to be heard, Counsel might have been here long ago.⁸

MR. R. MACDONALD, of Cornwall, was in favour of the motion, in order that the College might have nothing to complain of.⁹

MR. BOULTON said that it was not the intention that Counsel should come from Toronto¹⁰. There would be no delay. He had been instructed to employ a French Canadian gentleman of the Bar of Montreal to address gentlemen on the opposite side who only spoke the French language.¹¹

The motion was carried.¹²

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Addresses to
Her Majesty.

Duty on
Wheat, &c.

G. H. Ryland,
Esq.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, reported to Mr. Speaker and the House, that His Excellency the Governor General had been attended upon with their Address to the Queen; praying that in case any change is made in the Law regulating the admission of Foreign Wheat and Flour into the British Markets, due regard may be had to the interests of Her Majesty's subjects in this Province; and their Address to the Queen, praying that the claims of George H. Ryland, Esquire, as therein stated and set forth, may be taken into Her Majesty's most favourable consideration; and also the Addresses to His Excellency, praying that he will transmit the said Addresses to Her Majesty's Government to be laid at the foot of the Throne; to which His Excellency had been pleased to say, that he will transmit the said Addresses to England to be laid at the foot of the Throne.

Private Bills.

Mr. Hale, from the Standing Committee on Private Bills, presented to the House the Seventeenth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Montreal
Gas Bill.

Your Committee have considered the Bill to incorporate the Montreal Consumer's Gas Company, and have made several amendments thereto, which they submit to your Honourable House.

Montreal Sisters
of Charity Bill.

They have also considered the Bill to authorise the Community of the Sisters of Charity of the General Hospital of Montreal (Grey Nuns) to sell or alienate their property situated on Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof in other Real and Immoveable Property, and have agreed to the same, without any amendment.

Hamilton
Incorporation
Bill.

Mr. Smith of Wentworth, from the Select Committee to which was referred the Bill to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a city, reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Monday next.

Partition of
Lands Bill,
(L. C.)

The Honourable Mr. Moffatt, from the Select Committee to which was referred the Engrossed Bill from the Legislative Council, intituled, "An Act to facilitate

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the partition of Lands, Tenements, and Hereditaments, in certain cases in Lower Canada," and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have examined the said Bill, and after taking evidence in relation thereto, which is appended to this Report, they have agreed to certain amendments, which they beg leave to submit for the adoption of your Honourable House, as follows:--

Press 2, Line 18.--Expunge "two," and insert "twelve."

" 3, " 35.--After the fourth Clause, insert Clause A: "And be it enacted, That it shall be lawful for the said Court of Queen's Bench, upon the Petition aforesaid, and upon the claims or demands in intervention aforesaid, by and with the consent of the parties respectively, at any time before final judgment thereupon, to refer the matter in contest in and upon the Petition and the claims or demands aforesaid, and the making of the partition aforesaid, to the award and final determination of three arbiters, two of whom shall be named by the parties respectively, and the third by the Court; which said arbiters shall have power to examine witnesses on the subject matter referred to them, after the said witnesses shall have been sworn before any one of Her Majesty's Justices of the Peace for the District of Montreal, (to whom power to administer the oath on this behalf is hereby given,) and also to examine any of the parties on oath touching the said subject matter, if they, the said arbiters, or any two of them, shall deem such examination necessary or proper, which oath any of Her Majesty's said Justices of the Peace is also hereby empowered to administer, and the award and determination of the said arbiters, or any two of them, on all the matters referred to them, as aforesaid, shall be final."

MINUTES OF EVIDENCE.

Thursday, 7th May, 1846.

Sir James Stuart, Baronet, called in; and being interrogated, handed in the following Statement:--

Among the early Grants of the Waste Lands of the Crown in Lower Canada, were those of the Townships of Dunham, Bolton, and Brome, and I believe, indeed, these Grants were the first three which were made. By the Letters

Patent erecting these Townships, the lands therein were granted to a leader, as he was then called, and his associates, as tenants in common; thus vesting the land granted in the whole body of Grantees, collectively, without any several interest whatever, in any one of them, and rendering necessary a subsequent partition among them, before a beneficial enjoyment of the land could be obtained. This inconvenient and unfit mode of granting lands, to be held by the Grantees, as tenants in common, was, I believe, adopted in these three instances only. In all subsequent Grants of land by the Crown, the Grants were made to the Grantees to hold in severalty. I now produce an authentic copy of the Letters Patent erecting the Township of Bolton, by which it appears that this Township was erected by Letters Patent bearing date the 19th August, 1797; and that five-seventh parts of the Township containing 62,621 acres, 1 rood and 30 perches of land, were granted to Nicholas Austin, the Leader, and his fifty-four associates therein named, their heirs and assigns, as tenants in common, in Free and Common Socage. From the period of the issuing of these Letters Patent, since which, nearly half a century has elapsed, down to the present time, no partition of these lands between the original Grantees or their legal representatives has taken place, and they continue to be held by the latter, as tenants in common, all the original Grantees, with the exception of one, being, I understand, dead. From the number of deaths, which, during this long tract of time, has occurred, among the individuals who acquired a right to these lands, either under the Letters Patent, or by Titles derived from them, and also from the great number of mutations by descent, devise, sale, and otherwise, altering from time to time, the right of property in them, it has become impossible, by any extra-judicial proceeding to ascertain in what individuals that right is now vested, so as to make them by the ordinary process of Law, Defendants in an action of partition; there are necessarily many of them unknown to each other, and do not all reside within the jurisdiction of the same Court, and some of them, it is probable, reside out of the limits of Lower Canada. It is therefore, impossible to effect a partition among the persons entitled to the land in question, by means of an action instituted in the ordinary form, by Writ of Summons, and the service of that Writ on each and every of the Defendants. A substitute for this form is of absolute necessity to bring the parties before the Court under whose authority the partition is to be made, and this substitute might be found in a Public Notice, to be posted up within the limits of the Township, and to be inserted, for a certain time, in some of the Newspapers of this District, and of the other Districts in Lower Canada. The injury resulting from the unsettled state in which the right of property in this Township has continued, since the issuing of the Letters Patent, is both private and public. The real proprietors have been unable to enjoy and improve their property, or to prevent and repress the wrongful possession of it by others, from its being impossible to unite them, as Plaintiffs, in an action for this purpose: hence extensive private loss and injury have been, and continue to be, sustained. As respects the public, the settlement and progressive improvement of the Township are prevented and retarded, and the surrounding country, which is extensively settled and improved, suffers from the unimproved condition in which this Township continues. As respects both private and public interests, therefore, the in-

terposition of the Legislature, to afford the means of bringing the parties interested in the partition before a Court for that purpose, has become of indispensable necessity. I am one of the tenants in common by whom the land granted by the Letters Patent above mentioned are now held. This right of property is derived from conveyances by some of the original grantees named

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in the Letters Patent, and I am, therefore, one of the persons sustaining injury for the want of a partition, and, if this were accomplished, should contribute to the settlement and improvement of the Township.

The Honourable Paul H. Knowlton, a Member of the Legislative Council, called in; and being interrogated, handed in the following Statement:--

I am the proprietor of Land in the Township of Brome, which adjoins on one side the Township of Bolton; the former of these Townships was granted to Asa Porter and thirty-five associates, by Letters Patent, under the Great Seal of Lower Canada, in July, 1797. The grant was made, as in the case of Bolton, and I think also in that of Dunham, to Mr. Porter, as Leader, and his associates as tenants in common. I am particularly acquainted with the Township of Bolton for the last thirty years. During all this time the lands of this Township have continued to be undivided as originally granted, no partition having been made. All the original Grantees are dead, with the exception, I believe, of one survivor, who, from age and infirmity, is in a state of second childhood. The representatives of the Grantees have become, as might be expected, extremely numerous, so much so that no person can say who they are, or how and in what manner their rights have been acquired; nor is it known how many of them may reside out of the limits of the District of Montreal, or where they reside. One of the present holders of lands in Bolton is a Mr. Matthew, who resides at Durham, in New Hampshire; he holds under Registered Titles bearing date as far back as 1806, which conveyed to him an undivided interest in the Township to the extent of 4,000 acres. The uncertainty which has prevailed as to the actual proprietors of the soil, has encouraged a number of persons to settle themselves on parts of the Township, without any Title whatever; and the proprietors being unable to unite in an action to turn them off, no measures could be taken against them. The consequence has been that the Township being in part occupied by this description of persons, and for want of a partition, none of the owners having any separate portion that they could call their own, the improvement of the Township has been prevented, and the value of the land depreciated to such a degree, that lands in it have been sold within a few years past for a less price than they brought forty years ago. In the present state of the Township neither industry nor capital will be employed in improving it. Under these circumstances, it has long been urgently necessary, as well for the interest of all the parties interested in the Township, as for the public interest, and for the improvement of that part of the Country in which Bolton lies, that a partition should take place; and until this is effected the Township must continue in its present unimproved condition; with the disadvantage, moreover, of increased disorder and immorality, arising from the want of a settled determined ownership of the soil in severalty.

Friday, 8th May, 1846.

The Honourable Paul H. Knowlton, a Member of the Legislative Council, again called in; and being interrogated, answered:--Mr. Austin has applied to me annually, for the last fourteen years, and, indeed, every time I have met him, desiring me to devise some means by which a partition of the common rights of the Township of Bolton should be settled; and a few days previous to the meeting of the present Session, he called again at my house, making the same request. I then told him that I had a Petition from Sir James Stuart to the three branches of the Legislature on that subject, and presented it to him for signature, which, after seeing, and having it read to him, he said he would cheerfully sign it, and did so in my presence. Mr. Austin is 75 years of age. The distance of his residence from mine is about ten or twelve miles. I think he called on me for the express purpose of inducing me to devise some means of effecting a partition of the lands of Bolton; he said so. Mr. Nicholas Austin is the person referred to in the statement handed in by me yesterday, as being the original surviving associate; and I consider him competent to manage his own affairs. I am of opinion that the allegation contained in the Petition of Osgood Peasley and others, of the Township of Bolton,--that a large majority of the present settlers in the Township of Bolton took possession of their various properties under a pledge from the original associates, or one of them, that a partition of lands would soon take place, and that titles should be given to them,--is incorrect, as respects, at any rate, a large majority of the signers of that Petition: but I am of opinion, that some of the persons in possession, who have signed that Petition, are in possession under deeds from the original associates.

John M'Connell, Esquire, a Member of the Committee, handed in the following letter:--

Bolton, April 6th, 1846.

SIR,

I have understood that my name was associated with Sir James Stuart, for a division or partition of the lands within the Township of Bolton, among the proprietors of the said Township.

I would observe, that I never read or saw the Petition, but I gave liberty for my name to be associated, allowing the Township should be divided so as to give equal justice to all parties.

The conditions I would have it divided on, would be, to have all persons holding lands under the colour of title, to be quieted free from all expense on those lands. I wish to make use of this letter, (if the Petition or the Bill comes to the House on any other condition than as above) to express on what condition I would wish to have the land divided.

Yours, with respect,
NICHOLAS AUSTIN.

John M'Connell, Esquire.

Thursday, 14th May, 1846

John M'Connell, Esquire, a Member of the Committee, being interrogated,

answered:--The Township of Bolton was granted in or about the year 1795, to Nicholas Austin and fifty-four associates, these associates entered into an agreement with the said Nicholas Austin to deed back to him each 1000 acres of the 1,200 to which they would severally be entitled, in consequence of his having been at the expense of obtaining the Charter from Government, and having a survey made of the Township; few of them however complied with this contract, but sold out their rights to speculators, and left the Country; these speculators purchased the associates' rights for a mere trifle;--they made no roads,--cut down no trees,--and did not in any way assist in converting a howling wilderness into fruitful fields. There is, I should suppose, about one fourth of the Township settled; these settlers were obliged, before taking possession of their lands, to come through the woods a distance of forty or fifty miles, over a mountainous country, interspersed with swamps. Most of those who had deeds hold them either direct from the associates or from their descendants;--this class contend that they should be confirmed in their Titles without further trouble or cost,--which appears to be but a reasonable expectation. Those who have settled on the land without

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deeds, claim the right of pre-emption, or the right to purchase the land they respectively occupy at what it was worth in a state of nature when they came upon it, and I conceive that their demand is just and right.

Ordered, That the said Bill and Report be committed to a Committee of the whole House to-morrow.

Welland and
Niagara Race-
way Bill.

Ordered, That Mr. Dickson have leave to bring in a Bill to incorporate a Joint Stock Company to construct a Raceway from the Welland Canal to the Town of Niagara.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Wednesday next.

Jurors Indem-
nification Bill.

Ordered, That Mr. Scott have leave to bring in a Bill to provide for indemnifying Petty Jurors from Country parts for their expenses in attending at the Criminal Terms of the Courts of Queen's Bench, or at Courts of Oyer and Terminer, or of Quarter Sessions in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Thursday next.

On motion of Mr. Chalmers, seconded by Mr. Cummings,

Address, St.
Maurice
Forges.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will cause to be laid before this House, Copies of any Correspondence between the present Lessee of the St. Maurice Forges and the Provincial Government, on the subject of the contemplated sale of the said Forges, and Copies of any Petition from the work people at the said Forges, that may have been presented to the Govern-

ment.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

MR. CHALMERS¹³ moved an Address to His Excellency respecting contracts for constructing the Burlington Bay Canal. He said, that owing to the non-completion of the work, great loss was occasioned to the ship owners, one friend had stated to him that he had lost £600.¹⁴

MR. INSP. GEN. CAYLEY said, that as this would be a subject of investigation by the commissioners of enquiry, he would suggest that it should be postponed.¹⁵

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On motion of Mr. Chalmers, seconded by Mr. Williams,

Address, Bur-
lington Bay
Canal.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will cause to be laid before this House, a Copy of the Contracts entered into by the Board of Works, for constructing the Burlington Bay Canal, with the name of the party or parties, and the names of the sureties, and the amount given for the due performance of the work, the date of such contract or contracts, and if the same was given under tender, previously having been publicly advertised in any newspaper or otherwise, and at what prices the work is now proceeding.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Printed.

Ordered, That the First Report of the Commissioners appointed to enquire into the Losses occasioned by the troubles during the years 1837 and 1838, be printed for the use of the Members of this House.

On motion of Mr. Macdonell of Dundas, seconded by Mr. Scott,

Address, In-
dian Presents.

Resolved, That an humble Address be presented to His Excellency the Governor General, informing His Excellency that this House hath voted an Address to Her Majesty, on the subject of the Annual Presents issued to the Indians of British North America, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be Engrossed.

Ordered, That the said Address, and also the Address to Her Majesty therein referred to, be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. Robinson,

Montreal Gas
Company Bill.

Ordered, That the Bill to incorporate the Montreal Consumer's Gas Company, as reported by the Standing Committee on Private Bills, be committed to a Committee of the whole House to-morrow.

Montreal
Sisters of
Charity Bill.

Ordered, That the Bill to authorize the community of the Sisters of Charity of the General Hospital Montreal, (Grey Nuns,) to sell or alienate their property situated on Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof, in other Real and Immoveable property, be Engrossed.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Cayley,

Hastings
Titles Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to remedy certain defects in the Registration of Titles in the County of Hastings, in Upper Canada," be now taken into consideration. The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 45.--Leave out "November," and insert "January."

" 4, " 7.--Leave out "November," and insert "January."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. Attorney General Draper do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Macdonald of Kingston, seconded by Mr. Hall,

Kingston
Incorporation
Bill.

Ordered, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to incorporate the Town of Kingston as a City," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

IN THE BILL.

Press 2, Line 39.--After "constituted," insert, "Provided always, that it shall not be lawful for the said City Council, or their successors, to make or construct, or cause to be made or constructed, any work or building of any kind whatsoever, within or upon any part of the said

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Harbour, hereby vested in the said City Council; unless the making or constructing of such work be authorized by the Governor of the Province, by and with the advice and consent of the Executive Coun-

cil thereof, or by the Commander-in-Chief of Her Majesty's Forces in this Province, or by the principal Officers of Her Majesty's Ordnance."

Press 17, Line 6.--After "Gunpowder," insert, "belonging to private parties."

" 24, " 22.--Leave out from "house," to "any," in line 26, both inclusive.

" 31, " 6.--Leave out from "and," to "June," in line 9, both inclusive, and insert, "and the said first Election shall be held on the second Tuesday of the month next after the month in which this Act is passed."

" 32, " 40.--Leave out from "or," to "City," in line 42, both inclusive.

" 33, " 4.--After "duty," insert, "And be it further enacted, that nothing in this Act contained shall extend to or be construed to extend to, or affect, or be construed to affect any houses, lands, goods, chattles, or property of any kind, belonging to Her Majesty, Her Heirs, or Successors, or vested in or held by any Public Body, Officer, Person, or Party, in trust for the uses or service of Her Majesty, Her Heirs, or Successors, whether held in fee simple or for any less estate during the continuance of such estate: Provided always, that this Clause shall not be held to exempt any person aforesaid, not in the Naval or Military service of Her Majesty, in actual possession of any such real property under lease, from being assessed therefor under this Act."

IN THE PREAMBLE.

Press 1, Line 9.--Leave out from "and," to "enlarged," both inclusive.

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Macdonald of Kingston, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Boulton, seconded by the Honourable Mr. Robinson,

Toronto and
Huron Rail-
road Bill.

Ordered, That the amendment made by the Legislative Council, to the Bill intituled, "An Act to amend an Act passed in the eighth year of Her Majesty's Reign, intituled, 'An Act to amend an Act passed in the sixth year of the Reign of His late Majesty, King William the Fourth, entitled, 'An Act to incorporate the City of Toronto and Lake Huron Railroad Company,'" be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 1, Line 37.--After "expedient," insert, "Provided always, that no such terminus shall be at a point south of Port Sarnia, on the outlet of Lake Huron.

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Boulton do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

Message from the Legislative Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

LEGISLATIVE COUNCIL,
Thursday, 14th May, 1846.

Common School Bill,
(U. C.)

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council agrees to the Conference desired upon the subject of the amendment made by this House to the Bill, intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada," and that the Managers on the part of this House are to be the Honourables Messieurs Crooks and Neilson, who are to meet the number of Managers required by Parliamentary usage, presently in the Committee Room, of the Legislative Council.

And then he withdrew.

Resolved, That four Managers be appointed to meet the Managers appointed by the Honourable the Legislative Council, at the time and place appointed, for holding the Conference desired upon the amendment made by their Honours to the Bill, intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada."

Ordered, That the Honourable Mr. Attorney General Draper, Mr. Gowan, Mr. Price, and Mr. Macdonald of Kingston, be appointed Managers on the part of this House.

On motion of the Honourable Mr. Robinson, seconded by Mr. Macdonell of Dundas,

Address, To-
ronto Lunatic
Asylum.

Resolved, That an humble Address be presented to His Excellency, the Governor General, requesting that he will be pleased to lay before this House Copies of all Correspondence between the Commissioners of the Toronto Lunatic Asylum, and the Executive Government, respecting the claim of Dr. Rees for further remuneration of his services.

Ordered, That the Rule of this House requiring one day's notice of motion, be suspended in so far as relates to this motion.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Counsel to be

Mr. Boulton moved, seconded by the Honourable Mr.

heard on
King's Col-
lege Bills.

Robinson, That King's College Council be heard by Coun-
sel at the Bar of this House on this day week, on the
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several Bills introduced affecting the Charter and Endowment of King's College.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, Accordingly.

Printed.

Mr. Johnston moved, seconded by Mr. Chalmers, that five hundred additional copies of the said several Bills be printed for the use of the Members of this House.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Montreal
Roads.

A Petition of the Trustees of the Montreal Turnpike Roads; praying that the Montreal and Lachine Railroad Company, if chartered, may be made to provide for the payment of the interest on the cost or the redemption of the Debentures issued for the construction of the Lachine Turnpike Road, was presented to the House by the Honourable Mr. Moffatt.

On motion of the Honourable Mr. Moffatt, seconded by Mr. Gowan,

Ordered, That the said Petition be now read, and that the Rule of this House, of the twenty-eighth of June, 1841, be suspended as to the present Petition.

The said Petition was read accordingly.¹⁶

MR. MOFFATT stated that the Province was guarantee((d)) for the interest of the Turnpike Roads, and he considered it was expedient that the Railroad Company should be made to provide for a portion of the interest. He also remarked that in the Municipal Bill power was given to Municipalities to assume portions of the Turnpike Road.¹⁷

No! no! from MR. PRES. EX. COUN. VIGER.¹⁸

MR. MOFFATT ((resumed:)) The Board of Works intended to assume the line of road from Montreal to Bout de L'Isle; this would, if carried into effect, depreciate the value of these bonds.¹⁹

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Ordered, That the said Petition be referred to the Committee of the whole House on the Bill to incorporate the Montreal and Lachine Railroad Company.

Member Va-
cates his Seat.

James Johnston, Esquire, rose in his place, and informed Mr. Speaker and the House, that it was his intention to vacate his Seat as a Member of this House, for the County of Carleton; and, in consequence of the provisions of the Act of 7 Victoria, Cap. 65, he now vacated his seat accordingly.²⁰

MR. JOHNSTON had sat in the House so long only to support Lord Metcalfe against the Ex-Ministry²¹, and his mission being fulfilled he would now retire from public life.²² He had been cried down by one person and another,

and would no longer put up with it. He therefore tendered his resignation, that a new writ might be issued. He had been an independent member, and as such had been placed in a painful position.²³ He thanked hon. members on the opposite side except one, for the courtesy he had experienced from them, and would say of his own side, and especially the Ministry, that he had received at their hands base ingratitude,²⁴ although he had supported them on all occasions.²⁵ He, however, wished all the hon. members of the House well, and hoped they would be in as good health when he next saw them as at present.²⁶ In resigning his seat he confessed it was a sacrifice, for it was an honour to represent the County of Carleton; it was an independent, loyal, orderly, and wealthy constituency. He did not resign because he had been unsuccessful in opposing the Bytown Incorporation Bill, but if he lived until the next election, he pledged himself to oppose the member of that town, and beat him under his own Bill.²⁷

Bytown Incorporation Bill.

Mr. Smith of Wentworth, from the Committee of the whole House on the Bill to define the limits of Bytown, and to establish a Town Council therein, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended, be Engrossed.

Quebec School Society Bill.

The Order of the Day for the second reading of the Bill to incorporate the British and Canadian School Society of Quebec, being read;

The said Bill was accordingly read, and referred to the Standing Committee on Private Bills.

Printing and Binding.

The Order of the Day for the House in Committee on the Second Report of the Standing Committee on Printing and Binding, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported that the Committee had come to a Resolution, which Resolution, was again read at the Clerk's table and agreed to by the House, and is as followeth:--

Resolved, That this House doth concur in the Second Report of the said Standing Committee on Printing and Binding.

Limits of Counties, &c. (U. C.)

The Order of the Day for the second reading of the Bill to amend the Act for defining the limits of Counties and Districts in Upper Canada, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Gaspé Marriages, &c. Bill.

The Order of the Day for the House in Committee on the Bill to make provision for the legal proof and preservation thereof, of certain Informal Marriages had anterior to a certain date therein mentioned before

Justices of the Peace and others, in the Inferior District of Gaspé, as ratified by Act of the Legislature of Lower Canada, but whereof no Register or Records have been kept, and for recording the same, including also, certain Births or Baptisms and Burials in the said District, being read;

The House accordingly resolved itself into the said Committee;

Mr. Thompson took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Thompson reported that the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table and agreed to by the House.

Mr. Cauchon moved, seconded by Mr. Solicitor General Taschereau, that the following amendment be made to the fourth clause of the said Bill:--After the word "District," insert the following words, "And also, during the same period, in the French and English languages, in the Canada Gazette."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, Bouthillier, Cauchon, Chabot, DeWitt, LaFontaine, Leslie, Attorney General Smith, and Solicitor General Taschereau.--(9.)

NAYS.

Baldwin, Cayley, Chalmers, Christie, Daly, Attorney General Draper, Foster, Gowan, Laterrière, LeBoutillier, Macdonald of CORNWALL, Macdonell of DUNDAS, Méthot, Moffatt, Robinson, Roblin, Seymour, Smith of FRONTENAC, Stewart of BYTOWN, Viger, and Williams.--(21.)

So it passed in the negative.

Ordered, That the said Bill as amended be Engrossed.

Message from
Governor
General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

CATHCART.

Lunatic
Asylum
Toronto.

The Governor General recommends to the consideration of the Legislative Assembly, that measures should be adopted to authorize the Commissioners for the erection of the Provincial Lunatic Asylum, at Toronto, to raise by Debentures, a sum not exceeding £30,000, not chargeable on the Consolidated Revenue; to be secured on the Tax of one-eighth of a penny, established by Legislative Enactment in Upper Canada, in order to meet the expense of constructing the said Asylum.

GOVERNMENT HOUSE,
14th May, 1846.

Montreal In-
corporation
Laws Amend-
ment Bill.

*The Order of the Day for the second reading of the Bill to amend the Laws incorporating the City of Montreal, and to facilitate the decision of cases wherein the Right of any party to any Office in the Corporation may be called in question, being read;*²⁸

MR. MOFFATT moved the second reading of the bill "to amend the laws incorporating Montreal, &c."²⁹

MR. LAFONTAINE wished the second reading to be postponed, on account (sic) of the illness of Mr. Drummond. He wished this bill and the³⁰ general measure on the subject,³¹ introduced by the latter gentleman to be consolidated into one act.³²

MR. MOFFATT said, at this late period of the Session, and after the time this bill had been before the House,³³ and in the face of the difficulties at present existing in the City³⁴, he could not consent to delay³⁵, and thereby risk its passing. He did not think it would be expedient to consolidate the two acts.³⁶ He had been called on to-day to introduce three new clauses to provide for necessities which had arisen. One of these was to provide for the election of a³⁷ Councillor for the East Ward, another, to provide for the appointment of Assessors in the same Ward³⁸, which the Council was not now in a position to do, and the third was to alter the mode of Assessment for this year. The Act of Incorporation provided that the assessment should be made between the 10th May and the 10th June, this was not possible this year. The subject was of great importance to the City of Montreal, and it was absolutely necessary that immediate steps should be taken to remove the existing disabilities, otherwise, not only was the Corporation unable to act, but the whole assessment for the year would be lost.³⁹

MR. LAFONTAINE said the Bill in its present forms would be entirely useless for the purpose proposed.⁴⁰

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The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Gowan took the Chair of the Committee,

The two first clauses were carried.⁴¹

MR. MOFFATT then moved a clause to provide for the future election of any Councillor whose election shall not take place on the time fixed by law.⁴²

MR. LAFONTAINE opposed the motion, and moved to defer the consideration of the clause.⁴³

MR. MOFFATT said, the clause was handed him by Mr. Gibb, a member of the City Council, in company with the City Clerk⁴⁴, and they considered them necessary for the interests of the city.⁴⁵

MR. LAFONTAINE said, he then had no objection to it.⁴⁶

MR. MOFFATT moved another clause to allow the Assessment to be made after the 10th of June, and another to enable the Council, by a By-law, to fix the time within which it shall be made.⁴⁷

MR. LAFONTAINE ... hoped the last clause would be reserved until to-morrow, in order to enable the opinion of the Council to be obtained upon it.⁴⁸

MR. LEMOINE did not see the necessity of so much hurry when the House did not know what effect these long amendments would have upon the bill, he trusted therefore that twenty four hours would be given to consider these amendments.⁴⁹

The members of the Government ... consented that the Bill should come up the first order to-morrow⁵⁰.

MR. MOFFATT agreed to postpone the consideration.⁵¹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Gowan reported that the Committee had made some progress, and had directed him to move for leave to sit again.

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Ordered, That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the Day.

Huron Terri-
tory Bill.

The Order of the Day for the second reading of the Bill to attach certain Territory therein described to the District of Huron, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonell of Dundas took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Dundas reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Board of
Works Bill.

The Order of the Day for the second reading of the Bill to amend the Law constituting the Board of Works, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House to-morrow.

Hochelaga
Division Bill.

The Order of the Day for the House in Committee on the Bill to divide the Municipality of Hochelaga into five distinct Municipalities, and further to

provide for the support of Schools and the management of local affairs therein, being read;

The House accordingly resolved itself into the said Committee.

Mr. Foster took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Foster reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Witnesses
Attendance
Bill.

The Order of the Day for the second reading of the Bill to authorize and enforce the attendance of Witnesses from any part of this Province, before the Courts of Superior Criminal Jurisdiction, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Quebec and
Montreal
Police Bill.

The Order of the Day for the second reading of the Bill to amend the Act amending certain provisions of the Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Orleans and
Montmorency
Division Bill.

The Order of the Day for the second reading of the Bill to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House,

Mr. Chabot took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chabot reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same,

Ordered, That the Report be received to-morrow.

Desjardins
Canal Bill.

The Order of the Day for the second reading of the Bill to authorize the Desjardins Canal Company to borrow a sum of money to complete the Desjardins Canal,

being read;

The said Bill was accordingly read, and committed to a Committee of the whole House,

Mr. Macdonald of Glengarry, took the Chair of the Committee,⁵²

MR. ROBINSON stated that the object of the bill was to enable this Company to borrow £2,500. - This sum was required to complete the canal and thus save the heavy costs of transshipment (sic) which were necessarily made and which prevented the complete success of the Canal - he said the complete success because the undertaking already paid the interest on the existing loan and something more. The first clause authorized the Company to borrow the £25,000, the second provided that the amount when received should be deposited in a Chartered Bank, in the town of Hamilton, to be applied exclusively to the purpose of completing the Canal. There were other clauses which provided for a rendering of annual accounts to the three branches of the Legislature. He might mention that there was some surplus from last year's business, which would also be applied to the improvement of the Canal.⁵³

MR. CHALMERS was desirous of offering a few remarks on this bill, in order to show the advantages of this work. Now, in 1843, 45,000 barrels

of flour passed through the Canal; in 1844, 65,000 barrels passed through; in 1845, 98,000 barrels; and in 1846, 12,000 barrels.

In Staves, Iron, Salt and other Merchandize, the amount of business was still more striking. Thus last year, there were 600,000 staves sent through this Canal. There were 1400 tons merchandize; 2363 barrels of whiskey, 319 barrels of ashes, and 876 barrels of pork; besides 1000 tons of iron, 9000 barrels of salt, and 1000 tons of stone coal.⁵⁴

MR. THOMPSON said, he was only sorry, that instead of applying to Parliament for leave to obtain a loan, the Company had not applied for a public grant, for as a military work the Canal was of the utmost importance, because it was a place where the naval force could be safely placed within the ... limits of the country, in case of war, and its commercial advantages were so numerous, that he felt no doubt it would yield at least 10 per cent on the capital embarked, when entirely completed.⁵⁵

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonald of Glengarry, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Report on
Petition of
F. H. Guay,
Esq. et al.

The Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred the Petition of F. H. Guay, Esquire, and others, of the Parish of St. Joseph de la Pointe Levi, and other Parishes in the County of Dorchester, and

another reference, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cummings took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cummings reported that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Cobourg Ma-
nufacturing
Bill.

The Order of the Day, for the House in Committee, on the Bill to incorporate the Cobourg Manufacturing Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Wentworth, took the Chair of the Committee,⁵⁶

MR. HALL. - The House having on a previous occasion expressed a decided opinion against the principle of limited liability, this bill had been⁵⁷ amended in such a manner as, he hoped, would obviate that difficulty, In its present form the Bill only established a partnership en commandite, the principle of which was that the directors should be made liable to the full

amount of their private fortunes, for all the debts of the Company but that the other Shareholders should be liable only to the amount of their shares. He might mention that this was the principle upon which the greater number of manufacturing Companies in the United States were established.⁵⁸ There are to be seven Directors each to hold at least ten shares, and all of these together to possess at least the fifth of the whole of the Company.⁵⁹

MR. THOMPSON and MR. GOWAN objected to incorporating Companies on this principle, because they might, when they perceived that they were getting into difficulties, elect men of straw as directors, and then the public would be defrauded.⁶⁰

MR. THOMPSON would have voted for the Bill, if there had been a clause to provide for a liability of the shareholders to double the amount of their capital.⁶¹

MR. BOULTON and MR. MOFFATT advocated this principle, and referred to the People's Bank as an instance in which it had worked well. The public have the security in the amount actually paid up, and the liability of the managers to the full amount.⁶²

MR. MOFFATT said, that he thought it would be far more difficult to work out the principle of double liability, than that of a partnership en commandite; the latter, he conceived, was well calculated to ensure the public against loss, because the directors were not likely to go into dangerous speculations which would cause loss.⁶³ These Corporations are the only way, by which individuals of small means, can break down monopolies in the hands of persons of large capital.⁶⁴

MR. BOULTON thought that if the House was determined to discourage these associations, the country need never expect to see any large manufacturing establishment.⁶⁵

MR. DEWITT considered that stockholders are not going to put their money into the hands of directors to squander it. And therefore they will take good care to elect the most substantial men to manage the affairs of the Company. He considered it to be their duty to encourage manufactures and thereby the agriculturalists would be benefited. He pointed to Lowell as an evidence of this.⁶⁶

The Bill was then passed through the Committee, the principal amendment being in the section relating to the amount of stock to be held by the directors. Instead of one eighth of the whole stock as proposed in the bill, they are to be obliged to ... hold one fourth among them.⁶⁷

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Wentworth reported, that the Committee had gone through the Bill, and made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Great Western
Railroad Bill.

*The Order of the Day for the House in Committee,
on the Bill to alter and amend the Charter of the
Great Western Railroad Company, being read;*

The House accordingly resolved itself into the said Committee;

Mr. Monro took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. Monro reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

*Orders Post-
poned.*

*Ordered, That the remaining Orders of the Day be post-
poned until to-morrow,*

Then, on motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Robinson,

The House adjourned.

APPENDIX, 14 MAY 1846.

((QUESTION AND ANSWER RE: RIVER DUCHENE BRIDGE.))⁶⁸

MR. LAURIN made an enquiry of the ministry respecting a bridge over the River du Chene.⁶⁹

MR. SMITH said, that as the subject would be contained in the correspondence which would be laid on the table in a few days, he would suggest that the enquiry be withdrawn, and if the subject was not mentioned in the correspondence, he might renew the enquiry.⁷⁰

((QUESTION AND ANSWER RE: INSPECTOR OF LICENSES.))⁷¹

MR. LESLIE enquired of the Administration whether any, and if any, what steps were to be taken in reference to the conduct of Mr. D. S. Stewart.⁷²

MR. PRES. EX. COUN. VIGER said that the subject was under the serious consideration of the Government, but as the documents were very voluminous they had not been able to get through them yet.⁷³

((WITHDRAWN MOTION RE: UNIVERSITY OF UPPER CANADA INCORPORATION.))⁷⁴

MR. HALL moved the second reading of the Bill to Incorporate the University of Upper Canada. (Laughter.)⁷⁵

MR. BOULTON said after leave was given for Counsel to be heard at the Bar, it was no use going on with the Bill.⁷⁶

MR. MUNRO hoped the motion would not be passed, it was a piece of foolery altogether.⁷⁷

MR. HALL - Order! I will not, I never have, and I never will allow any member to make use of such an expression towards me, no matter how clever he may be, or how exalted his position. I claim the right to make this motion, and shall do so; but, if the House desires it, I will postpone it.⁷⁸

MR. BOULTON said, if the motion was not withdrawn, he would move that the Bill be read a second time this day six months.⁷⁹

MR. BALDWIN thought the motion unparliamentary, after the order which had been made for hearing Counsel.⁸⁰

MR. AT. GEN. DRAPER had been absent from the House when the motion to hear Counsel was made, had he been present, he would have resisted it. After Counsel was heard, he should push the Bill as fast as the forms of the House would permit.⁸¹

MR. HALL withdrew his motion.⁸²

FOOTNOTES - 14 MAY 1846.

1. The debate on the motion was reported by: MONTREAL GAZETTE, 16 May 1846, and BRITISH COLONIST, 22 May 1846, in identical accounts; MIRROR, 14 May 1846, and PILOT, 19 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 16 May 1846; and it was noted in BRITISH COLONIST, 19 May 1846, and in KINGSTON NEWS, 18 May 1846.
2. MIRROR, 14 May 1846.
3. IBID.
4. IBID.
5. IBID.
6. MONTREAL GAZETTE, 16 May 1846.
7. IBID.
8. IBID.
9. MIRROR, 14 May 1846.
10. IBID.
11. MONTREAL GAZETTE, 16 May 1846.
12. IBID.
13. The discussion on the motion was reported by: MIRROR, 14 May 1846, and PILOT, 19 May 1846, in identical accounts.
14. MIRROR, 14 May 1846.
15. IBID.
16. The debate on this matter was reported by: MONTREAL GAZETTE, 16 May 1846, and PILOT, 22 May 1846, in identical accounts.
17. MONTREAL GAZETTE, 16 May 1846.
18. IBID.
19. IBID.
20. The debate on this matter was reported by: MIRROR, 14 May 1846, and PILOT, 16 May 1846, in identical accounts; BRITISH COLONIST, 19 May 1846; MONTREAL TRANSCRIPT, 16 May 1846; and MONTREAL GAZETTE, 16 May 1846. Commentaries may be found in LE JOURNAL DE QUEBEC, 16 May 1846; and KINGSTON NEWS, 18 May 1846.
21. MONTREAL GAZETTE, 16 May 1846.
22. MONTREAL TRANSCRIPT, 16 May 1846.
23. MONTREAL GAZETTE, 16 May 1846.
24. MIRROR, 14 May 1846.
25. MONTREAL GAZETTE, 16 May 1846.
26. MIRROR, 14 May 1846.
27. MONTREAL GAZETTE, 16 May 1846.
28. The debate on this matter was reported by: MIRROR, 14 May 1846, misdated as 13 May, PILOT, 16 May 1846, and LA MINERVE, 18 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 16 May 1846; and MONTREAL GAZETTE, 16 May 1846.
29. MIRROR, 14 May 1846, misdated as 13 May.
30. IBID.
31. MONTREAL GAZETTE, 16 May 1846.
32. MIRROR, 14 May 1846, misdated as 13 May.
33. MONTREAL GAZETTE, 16 May 1846.
34. MONTREAL TRANSCRIPT, 16 May 1846.

35. MONTREAL GAZETTE, 16 May 1846.
36. MIRROR, 14 May 1846, misdated as 13 May.
37. MONTREAL GAZETTE, 16 May 1846.
38. MONTREAL TRANSCRIPT, 16 May 1846.
39. MONTREAL GAZETTE, 16 May 1846.
40. MONTREAL TRANSCRIPT, 16 May 1846.
41. MONTREAL GAZETTE, 16 May 1846.
42. IBID.
43. IBID.
44. IBID.
45. MIRROR, 14 May 1846, misdated as 13 May.
46. MONTREAL GAZETTE, 16 May 1846.
47. IBID.
48. IBID. According to the MONTREAL GAZETTE, Lemoine agreed with LaFontaine's statements.
49. MIRROR, 14 May 1846, misdated as 13 May.
50. MONTREAL GAZETTE, 16 May 1846.
51. IBID.
52. The debate on the matter was reported by: MONTREAL TRANSCRIPT, 16 May 1846, BRITISH COLONIST, 22 May 1846, and MONTREAL GAZETTE, 19 May 1846, in accounts which are identical in most respects except that the MONTREAL GAZETTE has omitted some speeches entirely.
53. MONTREAL TRANSCRIPT, 16 May 1846.
54. IBID.
55. IBID.
56. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 16 May 1846, and BRITISH COLONIST, 26 May 1846, in identical accounts; and MIRROR, 14 May 1846, misdated as 13 May, and PILOT, 19 May 1846, in identical accounts.
57. MIRROR, 14 May 1846, misdated as 13 May.
58. MONTREAL TRANSCRIPT, 16 May 1846.
59. MIRROR, 14 May 1846, misdated as 13 May.
60. IBID. According to MIRROR, Thompson shared these ideas.
61. MONTREAL TRANSCRIPT, 16 May 1846.
62. MIRROR, 14 May 1846, misdated as 13 May.
63. MONTREAL TRANSCRIPT, 16 May 1846.
64. MIRROR, 14 May 1846, misdated as 13 May.
65. MONTREAL TRANSCRIPT, 16 May 1846.
66. MIRROR, 14 May 1846, misdated as 13 May.
67. MONTREAL TRANSCRIPT, 16 May 1846.
68. This exchange was reported by: MIRROR, 14 May 1846, and PILOT, 19 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 16 May 1846.
69. MIRROR, 14 May 1846.
70. IBID.
71. This exchange was reported by: MIRROR, 14 May 1846, misdated as 13 May, and PILOT, 16 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 16 May 1846.

72. MONTREAL TRANSCRIPT, 16 May 1846.
73. MIRROR, 14 May 1846, misdated as 13 May.
74. The debate on the motion was reported by: MONTREAL GAZETTE, 16 May 1846, and BRITISH COLONIST, 22 May 1846, in identical accounts.
75. MONTREAL GAZETTE, 16 May 1846.
76. IBID.
77. IBID.
78. IBID.
79. IBID.
80. IBID.
81. IBID.
82. IBID.

FRIDAY, 15 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table:--

By Mr. Stewart of Bytown,--The Petition of James Morris and others, of MacNab and Horton, Members of the Presbyterian Church of Canada, in connection with the Church of Scotland; and the Petition of Alexander Wright and others, Episcopal Methodists and others, of Renfrew.

By Mr. Brooks,--The Petition of the Reverend William King and others, Members of the Established Church of England and Ireland, in the Township of Bury.

By Mr. Roblin,--The Petition of John Richards and others, of the District of Prince Edward.

By Mr. Leslie,--The Petition of the Trustees of the Montreal Turnpike Roads.

By Mr. Macdonald of Cornwall,--The Petition of George Rykert, Esquire, and others, of the Town of St. Catharines, in the District of Niagara; the Petition of William Wiley and others, of the Township of Grantham, in the District of Niagara; and the Petition of Peter B. Nelles and others, of the Township of Grimsby, in the District of Niagara.

By Mr. Woods,--The Petition of James Read and Henry S. Larned, of the Town of Chatham, in the Western District.

By Mr. Hale,--The Petition of W. W. Becket and others, of the Town of Sherbrooke, and of the Townships of Orford and Ascot.

On motion of Mr. Price, seconded by the Honourable Mr. Baldwin,

Middlesex
Election.

Ordered, That the Commission issued to take evidence in the matter of the Controverted Election for the County of Middlesex, be superseded, the Committee appointed to try the merits of the Petition complaining of that Election having made a Final Report upon the said Controverted Election.

On motion of Mr. Stewart of Bytown, seconded by Mr. Smith of Frontenac,
New Writ.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ for the Election of one Member to serve in the present Provincial Parliament for the County of Carleton, in the room of James Johnston, Esquire, who hath resigned his seat.

Huron Territory Bill.

An Engrossed Bill to attach certain Territory therein described to the District of Huron, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to attach certain Territory therein described to the District of Huron, for certain purposes."

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legis-

lative Council, and desire their concurrence.

Quebec and
Montreal
Police Bill.

An Engrossed Bill to amend the Act amending certain provisions of the Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Taschereau do carry the said Bill to the Legislative Council, and desire their concurrence.

Witnesses At-
tendance Bill.

An Engrossed Bill to authorize and enforce the attendance of Witnesses from any part of this Province, before the Courts of Superior Criminal Jurisdiction, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Taschereau do carry the said Bill to the Legislative Council, and desire their concurrence.

Gaspé Mar-
riages, &c. Bill.

An Engrossed Bill to make provision for the legal proof and preservation thereof of certain informal Marriages had anterior to a certain date therein mentioned, before Justices of the Peace and others, in the Inferior District of Gaspé, as ratified by Act of the Legislature of Lower Canada, but whereof no Register or Records have been kept, and for recording the same, including also certain Births or Baptisms and Burials in the said District, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to revive for a limited time an Act therein mentioned, relating to the proving and recording of certain Marriages solemnized in the late Inferior District of Gaspé, anterior to the year one thousand eight hundred and twenty-one, including also Baptisms and Burials."

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal
Sisters of
Charity Bill.

An Engrossed Bill to authorize the Community of the Sisters of Charity of the General Hospital, Montreal, (Grey Nuns,) to sell or alienate their property situated on Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof in other Real and Immoveable Property, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to authorize the Community of the Sisters of Charity of the General Hospital, Montreal, (Grey Nuns,) to sell or alienate their property situated at Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof in other Real and Immoveable Property."

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Desjardins
Canal Bill.

An Engrossed Bill to authorize the Desjardins Canal Company to borrow a sum of money to complete the Desjardins Canal, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Robinson do carry the said Bill to the Legislative Council, and desire their concurrence.

Bytown Incorporation Bill.

An Engrossed Bill to define the limits of Bytown, and to establish a Town Council therein, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Stewart of Bytown do carry the said Bill to the Legislative Council, and desire their concurrence.

Districts and
Counties
Limits Bill,
(U. C.)

An Engrossed Bill to amend the Act for defining the limits of Counties and Districts in Upper Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Gowan do carry the said Bill to the Legislative Council, and desire their concurrence.

Cobourg
Manufacturing Bill.

An Engrossed Bill to incorporate the Cobourg Manufacturing Company, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hale do carry the said Bill to the Legislative Council, and desire their concurrence.

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Great Western
Railroad Bill.

An Engrossed Bill, to alter and amend the Charter of the Great Western Railroad Company, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith of Wentworth, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of Charles Turgeon, of the City of Quebec, Esquire; praying that he may be paid certain Claims against the Quebec Municipal Council.

Of Rowley Kilborn and others, of Clinton, in the District of Niagara; praying that the Bill for the removal of the District Town of the said District, may not be passed; but that in the event of its removal it may be at St. Catharines.

Of the Reverend J. Taylor and others, members of the United Church of England and Ireland, in Eaton, in the Diocese of Quebec; praying that in all Bills incorporating Railroad Companies, a clause may be enacted prohibiting travelling on Sundays.

Of the Reverend C. T. Caron and others, of the Parish of St. Martin; praying that a certain Road, intended to be Macadamized in the said Parish, be made to follow a certain direction.

On motion of Mr. Woods, seconded by Mr. Stewart of Bytown,

Ordered, That the Petition of James Read and Henry S. Larned, of the Town of Chatham, in the Western District; praying to be indemnified for losses sustained in the fulfilment of a certain contract made with the Board of Works, be now read, and that the Rule of this House, of the twenty-eighth of June, 1841, be suspended as to the present Petition. The said Petition was read accordingly.

On motion of Mr. Hale, seconded by Mr. Brooks,

Ordered, That the Petition of W. W. Becket and others, of the Town of Sherbrooke, and of the Townships of Orford and Ascot; praying that the appropriation for the improvement of the main Eastern Township Road, may be expended according to the original intention, be now read; and that the Rule of this House, of the twenty-eighth of June, 1841, be suspended as to the present Petition. The said Petition was read accordingly.

*Petitions
Referred:--*

*J. Read and
H. Larned.*

Resolved, That the Petition of James Read and Henry S. Larned, of the Town of Chatham, in the Western District, be referred to a Select Committee, composed of Mr. Woods, Mr. Macdonell of Dundas, Mr. Christie, Mr. Gowan, and Mr. Stewart of Bytown, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Rev. J. Taylor et al.

Ordered, That the Petition of the Reverend J. Taylor and others, members of the United Church of England and Ireland, in Eaton, in the Diocese of Quebec, be referred to the Select Committee on Railroad Bills.

Hon. J. Crooks.

*Mr. Roblin moved, seconded by Mr. Stewart of Bytown, that the Petition of the Honourable James Crooks be referred to a Select Committee, composed of Mr. Roblin, Mr. Dickson, Mr. Chalmers, Mr. Smith of Frontenac, and Mr. Cummings, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.*¹

MR. AT. GEN. DRAPER, this matter has been decided over and over again. It is not a matter in which this Province is at all concerned. It is solely a matter of international law. The Hon. James Crooks has himself admitted that he had no claim on the Province; unless the hon. member is prepared to state what object was wished for, he would be compelled to oppose the motion.²

MR. ROBLIN, there can certainly be no claim on the Provincial Government. It is solely a matter of international law. He could not state what course the Hon. Mr. Crooks intends to pursue, he had only asked him to present the petition, and refer it to a select committee. He believed that he

merely wished an expression of opinion from this House.³

MR. MOFFATT, if the hon. member could point out any way in which the House could assist the petitioner, he would have no objection to the reference. He thought that the Home Government had taken a wrong view of the case, they ought not to have said that it was a subject which did not concern him, he thought that it was a case of great hardship.⁴

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The question having been put upon the said motion, a division ensued, and it passed in the negative.

Cornwall
Incorpor-
ation Bill.

Mr. Macdonald of Cornwall, from the Select Committee to which was referred the Bill to amend the Act of Incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu of a Police, reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Resolved, That this House do now resolve itself into a Committee of the whole House, on the said Bill and Report.

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Armstrong reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Militia Bill.

The Honourable Mr. Attorney General Draper, from the Select Committee to which was referred the Bill for the better regulation of the Militia of this Province, reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Tuesday next.

Quebec Trinity
House Bill.

The Honourable Mr. Attorney General Smith, from the Select Committee to which was referred the Bill to amend and consolidate the Laws and Ordinances now in force, relating to the powers and duties of the Corporation of the Trinity House of Quebec, to Pilots and Pilotage in the Port of Quebec, and to the Quebec decayed Pilot Fund, and for other purposes, and another reference, and with several instructions to the said Committee, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:

Report.

Your Committee beg leave to report, that the conflicting interests involved in the settlement of this Bill, are of such importance as to preclude the possibility of obtaining the necessary evidence at this period of the Session, without which it is

impossible for your Committee to determine upon these separate interests, and they therefore recommend that the law as it now stands should be allowed to continue; but that it should be altered so far as to make the tonnage duty fourpence, and repeal all the other duties on shipping, and add a clause to enable the Trinity House to borrow (in addition to the £5,000 already authorized, £2,838 of which is already borrowed) a further sum of £8,000, which sum shall be applied to the purpose of building a Light-house on Red Island Reef, and to build a Steamer Propeller, with proper apparatus and fittings, the cost of which not to exceed £6,000, and a further clause to enable the Pilots to form a Joint Association.

Mr. Lindsay, Treasurer of the Trinity House, Quebec, laid before the Committee the following Statement:

Amount of actual Tonnage of 1845	£10,513	19	0
Less Per centage on Collection	262	17	6
	<hr/>		
	£10,251	1	6
Probable Yearly Expenses of the			
Trinity House, <u>Quebec</u> , as per			
Receipts	9,674	2	10
	<hr/>		
	£576	18	8

Actual Expenditure, £7,631 15s. 4d.

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Bill. Ordered, That the Honourable Mr. Attorney General Smith have leave to bring in a Bill to amend the Laws relative to the Trinity House of Quebec, and to confer certain powers on the said Trinity House.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Montreal The Honourable Mr. Attorney General Smith, from
Trinity House the Select Committee to which was referred the Bill to
Bill. repeal certain Acts, and an Ordinance therein mentioned,
 relating to the Trinity House at Montreal, and to amend
 and consolidate the provisions thereof, and another reference, and with an instruction to the said Committee, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report. Your Committee find it impossible to come to a proper determination on the subject of the reference as to the propriety of consolidating the Trinity Houses of Quebec and Montreal, and the settlement of its situation. The Committee recommend that as the law would expire at the end of the present Session, it should be continued for another year, until the several questions involved in the provisions of the Quebec Trinity Bill, and in particular the reference above referred to, can be satisfactorily decided upon.

Bill. Ordered, That the Honourable Mr. Attorney General Smith have leave to bring in a Bill to continue for a limited time the law in force relating to the Trinity House of Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Quebec Turnpike Roads.

Mr. Chauveau, from the Select Committee to which was referred the Petition of Jean Baptiste Pagé and others, inhabitants of the Parish of L'Ancienne Lorette, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee having duly considered the prayers of the several Petitions referred to them, and weighed the evidence adduced before them, they are of opinion that the following Roads, or parts of Roads, should be placed under the control and management of the Quebec Turnpike Trust, to wit:--1st. The Road called L'Ornière, from the point of intersection of the St. Charles North and South Roads, to the Indian Village of Lorette, including the bridge over the stream, near the said Village:--2nd. That part of the Ste. Foy Road, which lies between the point where the said Road is joined by the Suède or Suête Road, up to Cap Rouge Hill:--3rd. The Road commonly called La Route de L'Eglise from Ste. Foy Church to St. Louis Road:--4th. That portion of the highway, from the bridge over the Montmorency River, to the East of the said bridge, a distance of four miles: and 5th. That portion of the Road leading to St. Augustin, from Hough's Farm to St. Augustin Church. The expediency of Macadamizing the said Roads, appears by the Minutes of Evidence.

The Road called La Misère being almost parallel to the L'Ornière Road,--and your Committee being informed that the improvement of that Road would be very expensive,--they cannot for the present, recommend that it be placed under the management of the Trust.

As respects the Road called La Route Sainte Claire, your Committee conceive that if the Road from the Dorchester bridge to the Charlesbourg Church were Macadamized, as is conditionally provided for by a Statute of last Session, in the event of the said bridge being purchased by the Provincial Government, the improvement of the said Route Sainte Claire would then be rendered useless.

Your Committee have not yet abandoned the hope that something will be done, either to acquire the said bridge on the part of the Government, or to vest the right of the Crown to purchase the same, in the Trustees, and therefore cannot recommend, for the present, the Macadamizing of the said Route Sainte Claire. They submit that in the event of the bridge being purchased, the Charlesbourg Road ought to be Macadamized, not only up to the Charlesbourg Church, but four miles beyond that point in a northerly direction, and also from the said Charlesbourg Church in a north-westerly direction, to the Indian Village of Lorette, there to join the L'Ornière Road.

Your Committee are informed that if the Trustees were authorized to borrow a sum of £20,000, on the guarantee of the Province, it would enable them to Macadamize the several Roads, and portions of Roads, which they have above recommended to be improved, and to purchase the said Dorchester

bridge from its present proprietors. The completion of the said Roads, and the additional Tolls that would accrue from the bridge, would so increase the revenue of the Trust, as to relieve the Province from paying in future the interest on the loans already guaranteed. As to the Petitions praying for the removal of the Kilmarnock Gate, your Committee are of opinion that the prayer of the Petitioners be granted, and that the said Gate be removed.

With respect to the complaints made in relation to the Commutation of Tolls, your Committee are of opinion, that no doubt could have existed as to the interpretation of the Statute of last Session, which clearly provided for a distinct commutation for each vehicle; they regret to learn, however, that the issuing of Commutation tickets has been so managed as to cause misapprehension on that subject; the present rate of Commutation, amounting to three dollars for the summer vehicles of the lowest class, and two dollars for winter vehicles, making altogether five dollars for the whole year, your Committee do not consider to be excessive. They hope that in future the Trustees will endeavour to avoid any difficulty of the nature of that above alluded to, otherwise their conduct would be highly reprehensible.

Your Committee conceive, that most of the abuses usually complained of, in the management of the Turnpike Trusts in general, cannot be remedied by Legislation, but matters of this nature come more properly under the notice of the Executive Government, in whom is vested the appointment of the Trustees.

Your Committee do not consider that the present mode of collecting the Tolls is the most efficient, but until all the improvements to be made shall have been completed, they do not think it advisable to recommend the Letting of the Gates by Auction.

Your Committee perceive with satisfaction, that the reduction of Tolls, effected last year, has caused no diminution in the Revenue, but, on the contrary, has increased it. As difficulties have arisen, as to some of the items in the tariff adopted last year, they would suggest the following Schedule, as more simple in its operation, although not expected to be materially different in affecting the amount of the Revenue:--

For every four-wheel carriage or vehicle, drawn by one horse or other beast,--Six-pence.

For each additional horse or other beast, Two-pence.

For every two-wheel vehicle, drawn by one horse or other beast,--Three-pence.

For each additional horse or other beast,--Two-pence.

For every sleigh, train, berlin, or other winter vehicle, drawn by one horse or other beast,--Two-pence.

For each additional horse or other beast,--One-penny.

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For every horse, mare, gelding, ass, or mule, with a rider.--Two pence.

For every horse, mare, gelding, ass, mule, cow, and head of other neat cattle, not drawing.--One penny.

For every score of sheep, lambs, hogs, or swine,--Five-pence.

Your Committee are fully aware of the inconvenience of so many Statutes being enacted upon the same subject, and they regret that the advanced period of the Session at which they were put in possession of the Annual Return of the Trustees, prevented them from reporting sooner, otherwise they would have recommended the repeal of the several Ordinances and Statutes now in force, relating to the Quebec Turnpike Roads, and the consolidating in one Law, all the provisions of those Laws that may not be repugnant to one another, together with the amendments now suggested; they hope, that whenever any occasion may arise for further amending those Laws, that course will be adopted.

MINUTES OF EVIDENCE.

9th April, 1846.

The Honourable John Neilson, a Member of the Legislative Council, called in and examined:--

1st. Do you know the three different Roads, L'Ornière, La Misère, and Ste. Claire, in the County of Quebec?--Yes.

2nd. Which of the three Roads do you think most advantageous to be Macadamized?--The three Roads lead to nearly the same place, but I think the Route Ste. Claire, from the nature of the soil, is the best adapted for Macadamization. It would serve for the inhabitants of St. Ambroise, Lake St. Charles, Valcartier, and some parts of Stoneham, and Fossambault. The Route Ste. Claire is the shortest and most central.

3d. Do you think that the Road between the Carouge Road and Ste. Foy Road, called Route de L'Eglise, could be Macadamized at a small cost, and for the benefit of the public?--Yes it could, at a small cost. The Road would be very advantageous for the country people of Ste. Foy, Ste. Ambroise, and Lorette, who find a market at the Coves. It would materially increase the income of the Turnpike, by the number of carriages of the city, which would pass by the Carouge and Ste. Foy Roads.

4th. Do you think it expedient to remove the Kilmarnock Toll-Gate?--Yes, I am informed that it hardly pays the expenses, and it is inconvenient to travellers, particularly to the farmers going to the Coves.

5th. Are you aware of any abuses in the administration of the Turnpike Trust?--Yes, I am aware that abuses exist with reference to the Carouge Road on which I live; I cannot undertake to speak of the others.

6th. Have you any suggestions to make as to any further amendment to the law relative to Turnpikes at Quebec?--The inhabitants have never been permitted to subscribe by the year. The charge in the summer season, is in my opinion, very high. I think the Toll-Gates ought to be let by Public Auction to the highest bidder. The accounts of receipts and disbursements ought to be regularly published every year.

The Hon. Louis Massue, called in and examined:--

Answer to Question No. 1.--Yes, I do.

Answer to Question No. 2.--As there is every prospect of the Road between Charlesbourg and Quebec, called Route de L'Eglise de Charlesbourg, being ere long Macadamized, I am of opinion that the Road communicating between Old Lorette to St. Ambroise, called Route l'Ornière, and marked in red on the plan here exhibited, should be Macadamized as soon as possible, as it would afford a free communication to the Parishes of St. Ambroise, Valcartier, and Fossambault, which would then afford a Macadamized Road from the Church of St. Ambroise to the City of Quebec, a distance of nearly nine miles.

Answer to Question No. 3.--I do not think it necessary that this Road should be Macadamized at present. I think it better that the money which would be required to Macadamize that Road, should be laid out on the Road above mentioned.

Answer to Question No. 4.--I am not acquainted with that Road.

Answer to Question No. 5.--I am not.

Answer to Question No. 6.--I have none.

27th April, 1846.

Mr. Benjamin Vohl, called in and examined:--

Answer to Question No. 1.--Yes, I do.

Answer to Question No. 2.--The l'Ornière Road, in my opinion, is the most advantageous to be Macadamized, as it is the shortest and most central, and having been Macadamized once before, by the Parliament of Lower Canada.

Answer to Question No. 3.--I do not think it necessary.

Answer to Question No. 4.--Certainly I am of opinion that this Toll-gate should be removed, as it will never pay the expense, and prevents in a great measure the farmers of Ste. Foy from taking their produce to the Coves.

Answer to Question No. 5.--My family reside at Ancienne Lorette; I have a farm that I cultivate myself, and keep a shop in the city of Quebec, as an Optician, and am accustomed to pass through the Toll-gates, three or four times a week. By the law which passed last year, a farmer pays 3d. for a horse and cart, but the Secretary of the Trust makes me pay 5d., the same as a citizen of the town, because he does not consider me a farmer, although I cultivate my land myself. For Commuting, the law says, that a farmer shall pay 15s. for one year, but the Commissioners demand 15s. for six months, although they state in the Certificate that the Commutation is for one year.

I think it would be advisable that any resident proprietor of lessee of lands, lying beyond the Toll-gates, should be allowed to Commute at 15s. a year for one horse, provided that he passes with the same horse during the twenty-four hours, and that no distinction should be made with respect to two-wheeled carriages, whether it be a cart, gig, or calèche, but only with four wheeled vehicles.

John Porter, Esquire, examined:--

I am Secretary to the Trustees of the Quebec Turnpike Roads; I have read the several Petitions referred to this Committee, and am well acquainted with the Roads to which they refer; I am of opinion that it is very desirable to continue the Macadamization of the Ste. Foy Road, from the point where it is intersected by the Suède, to the top of Carouge Hill; this Road

is thickly settled, and much used, and I may state is a strong reason why it should be Macadamized and placed under the superintendence of the Trustees; at the present time they are cutting down the Carouge Hill, which could be more effectually improved in connexion with the Ste. Foy Road, which terminates at that hill. I also think that the Route de L'Eglise should be Macadamized; this Road is not much more than one and a half miles in length, and is much used by the settlers of Valcartier, Fossambault, and Lorette, who bring their agricultural produce this way to the Coves and shipping, where there is a large demand for it; and if this Road were improved, which could be done at a small expense, the traffic would be much increased, and the tolls made more productive. The distance from Sillery Cove to Quebec, is between three and four miles.

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With reference to the three Roads to the Indian Village of Lorette, namely, l'Ornière, La Misère, and Ste. Claire; I consider the l'Ornière as the most preferable; it is the most level and direct Road to the settlements of Lorette, Valcartier, and Fossambault, and according to the estimate the Trustees have caused to be made, would cost less to Macadamize than the others. The Ste. Claire Road should also be made; a portion of the country through which it passes being densely inhabited; but if the Dorchester bridge were placed under the control of the Trustees, it would then be better to Macadamize the Charlesbourg Road, to the Charlesbourg Church, and thence to Indian Lorette, instead of the Route Ste. Claire. In that case the Route Ste. Claire should not be Macadamized; I think also that the improvement of the Charlesbourg Road, should be extended to a distance of about four miles beyond Charlesbourg Church, and that the Road which now terminates at, or near Hough's farm, should be continued as far as St. Augustin Church. The reason why the inhabitants of Charlesbourg and Lorette petitioned for the Macadamizing of the Ste. Claire Road, in preference to the Charlesbourg, is, in my opinion, in consequence of the heavy burthen that would be imposed upon them, if a Toll-bar were placed on that Road, in addition to the Toll exacted at the Dorchester bridge, in which case upon the Charlesbourg Road, they would have to pay two Tolls, while upon the Ste. Claire Road, they would only pay one toll. The Trustees have no funds at their disposal for making any of the Roads petitioned for, but it is very desirable that those I have mentioned should be made, in order to render the revenue sufficiently productive; and if the Trustees were authorized to borrow a sufficient sum for the purpose, it would be for the public advantage. The sum required would not exceed £12,000.

Question 7. Will you state the reason why the Trustees have not Macadamized the Road leading from Commissioners Bridge to the Champigny Hill, as provided for by a law passed during the last Session of Parliament?--The Trustees were unable to make this Road, because no appropriation was provided for the purpose, and the funds at their disposal were no more than sufficient to complete the Roads named in the original law.

Question 8. What sum of money would be required to finish this Road? It would require £3,000, and as soon as funds are provided, the Trustees will be prepared to commence it.

Question 9. Do you think it is expedient to remove the Kilmarnock Toll?

Gate?--The revenue of this Gate has not amounted to any thing like what was expected at the time it was erected; but I do not think it has been in existence a sufficient length of time, to enable the Trustees to form a correct estimate of its revenue, and would recommend that it be allowed to remain up during the present season, after which a better judgment can be formed of the propriety of removing it or not.

Question 10. For what reason have the Trustees given a Commutation Ticket to certain farmers for one year for 15s., and have afterwards compelled the same farmers to pay 2d. each time of passing the Toll-Bar during the winter of the same year?--The Trustees had no other course to pursue, the law expressly directs that Commutation shall be made upon each vehicle, so that when a farmer desires to Commute for a cart, he has to pay 60 Tolls at 3d., or 15s. And if the same farmer requires to use the Road in the winter, he must necessarily Commute also for his sleigh, for which he must pay 60 Tolls at 2d., or 10s.

Question 11. For what reason have the Trustees charged Mr. Vohl 5d., for each time of passing the Toll Bar, when, according to his statement, he resides in the country upon his farm, and consequently claims to be considered as a habitant or farmer?--When Mr. Vohl claimed the privilege of a habitant or farmer, and represented that as he resided upon his farm, he should only be charged 3d., in the same manner as any other farmer, the Trustees were led to doubt, whether they could consider Mr. Vohl as a farmer, inasmuch as he follows the trade of an Optician, and did not gain his living solely as a farmer; they took legal advice upon the matter, and were told that the proper interpretation of the law was to consider the word "habitant" to apply only to the man who lives upon his land, and does not follow any other profession, and that according to the law Mr. Vohl ought to be charged 5d.

The probable value of Dorchester Bridge in my opinion is £8,000, which, with the probable expense of the improvements suggested, would render a loan of £20,000 necessary.

Printed.

Ordered, That two hundred and fifty copies of the said Report, and of the Documents accompanying the same, be printed for the use of the Members of this House.

Ordered, That the said Report be committed to a Committee of the whole House on Monday next.

Wm. Duncan.

Mr. Lantier, from the Select Committee to which was referred the Petition of William Duncan, of Côteau du Lac, presented to the House the Report of the said Committee, which was again read at the Clerk's table; and is as followeth:--

Report.

Your Committee having taken into their consideration the Petition of William Duncan, of Côteau du Lac, praying that a law be passed to enable him to collect the amount of a Judgment, with costs, obtained against the Inspector and Overseers of the Roads for the parish of St. Polycarpe, for the payment of a Sum of Money, being the balance due to him for the building and constructing a Bridge over the River Delisle: beg leave to Report--That your Committee have ascertained,

that the Petitioner undertook from the Inspector and Overseers of the Roads in the Parish of St. Polycarpe, to construct a Bridge over the River Delisle; that the construction of the said Bridge had been ordered by the Grand Voyer of the District of Montreal; and that, in accordance with the law then existing, a repartition of the sum to be raised, to defray the expenses of the construction of the said Bridge, was made and duly homologated: that the Petitioner fulfilled the conditions of his contract; that the Inspector and Overseers of the Roads of that Parish, having failed to collect the whole amount which they were authorized to do by the said repartition, were unable to pay the said William Duncan the full amount due to him. That at the suit of the Petitioner a Judgment was obtained in the Court of Queen's Bench, on the 20th of October, 1829, (a copy of which is hereto appended, marked A,) against John M'Donald and others, Inspector and Overseers of the Roads in the said Parish, in their respective capacities as such, for the sum of £116 8s. 9d., with interest on the same until paid; and also, for the sum of £72 13s. 2d., being the amount of costs in that cause, (as shown by a statement hereto appended, marked B,) amounting in all to the sum of £305 7s. 10d. currency, including the interest on the sum of £116 8s. 9d, which remains due to the Petitioner. That, in virtue of the Judgment referred to, one part only of the said Parish of St. Polycarpe had to provide for the construction of the said Bridge: that some of those who had been assessed by the repartition, have paid the amount due by them, while others have not complied with its requirements. That some of the properties assessed have been bona fide purchased by persons who have not been made aware of the debt existing on the same; that the repartition cannot be revived against such persons, or against those who have already discharged and paid the whole of this tax against their properties; and that it cannot be re-

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vived against their properties; and that it cannot be revived against those who have paid only a certain part of the said repartition, for the full amount which they had to pay in virtue of the same. Your Committee, therefore, recommend that a law be passed, to enable William Duncan to collect from the different persons who, not having paid the sum either in whole or in part, which by the repartition they had to pay, to defray the payment of the building of the said Bridge, are still in possession of the properties assessed in the said repartition, and that so far the said repartition should be revived.

(A.)

Province of Lower
Canada, District
 of Montreal.

Court of King's Bench, Tuesday,
 the Twentieth day of October,
 one thousand eight hundred
 and twenty-nine.

Present,--

The Honourable Chief Justice Reid.
 " " Mr. Justice Pyke.
 " " Mr. Justice Uniacke.

William Duncan, late of the Parish of St. Polycarpe, in the Seigniorship of New Longueuil, in the District of Montreal, Merchant, now of Côteau du Lac, in the Parish of Soulanges, in the said District,--PLAINTIFF.

John M'Donald, of the said Parish of St. Polycarpe, in the said District, Yeoman, now or late Inspector of Roads and Bridges, in and for the said Parish of St. Polycarpe; François Giroux, of the same place, Yeoman; Louis Hémon, of the same place, Yeoman; Godefroy Lalonde, of the same place, Yeoman; François Chaulet, of the same place, Yeoman, Augustin Léger, of the same place, Yeoman; Joachim Lecomte, of the same place, Yeoman; and François Lalonde, the younger, of the same place, Yeoman; now or late Sous Voyers in and for the said Parish of St. Polycarpe,--DEFENDANTS.

The Court, having heard the parties, by their Counsel, in the several matters in contest between them; having examined the evidence by them respectively adduced, and deliberated thereon, it is considered and adjudged, that the Plaintiff do recover of the said John M'Donald, in his capacity of Inspector of Roads and Bridges, in and for the Parish of St. Polycarpe, in the District of Montreal; and of the said François Giroux, of the same place, Yeoman; Louis Hémon, of the same place, Yeoman; Godefroy Lalonde, of the same place, Yeoman; François Chaulet, of the same place, Yeoman; Augustin Léger, of the same place Yeoman; Joachim Lecomte, of the same place, Yeoman; and François Lalonde, the younger, of the same place, Yeoman; in their capacity of Sous Voyers, in and for the said Parish of St. Polycarpe, the sum of one hundred and sixteen pounds, eight shillings, and nine pence, current money of the Province, for the matters and things stated and complained of, in and by the declaration of the said Plaintiff, with interest on the said sum of one hundred and sixteen pounds, eight shillings, and nine pence, from the twenty-fifth day of January, one thousand eight hundred and twenty-nine, until paid, with costs, the Court hereby dismissing the plea of Défenses en droit, pleaded by the several Defendants.

(True Copy,)

MONK, COFFIN, and PAPINEAU,
P. Q. B.

(B.)

No. 1503

William Duncan,
Plaintiff.
John M'Donald et al,
Defendants.

Taxed Costs	£65	19	10
Subsequent Costs on Execution . . .	6	13	4
	£72	13	2

We Certify, that the above is the amount of the Taxed Costs, and subsequent Costs in the above Cause.

MONK, COFFIN, and PAPINEAU,
P. Q. B.

Prothonotary's Office,
Montreal, 13th May, 1846.

Ordered, That the said Report be committed to a Committee of the whole House on Monday next.

Donald
Cameron.

Mr. Dickson, from the Select Committee to which was referred the Petition of Donald Cameron, of the Township of Thorah, in the Hume District, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have carefully examined the subject set forth in the Petition of Donald Cameron, referred to them for their consideration; praying an enquiry into the merits of a claim which the Petitioner makes upon the Government for lands to which he considers himself entitled under an arrangement entered into with the Government of Upper Canada in the year 1827, at which time the Governor of that Province, in accordance with instructions received from the Secretary of State, was directed to permit the said Donald Cameron to locate certain lands in the Townships of Thorah and Eldon, for certain persons, he had been instrumental in bringing to the country, the same of course to be located under and subject to the terms and conditions which the Government found expedient in all cases to impose, the performance of which were necessary previous to the issuing of the location tickets.

Your Committee find that the Government of Upper Canada rendered every facility to the said Donald Cameron, and those in whose behalf he was acting, to comply with the conditions of doing settlement duty, &c., inasmuch as they on four successive applications, extended the period from the 1st of May, 1827, to 1st January, 1829.

Your Committee find on reference to the Journals, that the Petitioner has made application on this same subject to the Legislature of Upper Canada, and to the Legislature of Canada; and that it was reported on by a Committee of Your Honourable House during the last Session, which report concludes as follows: "That before any action could be had in the matter by Parliament, it must be brought regularly under the consideration of the Provincial Government, in order to an arrangement of the case by them."

Your Committee have had before them the Assistant Commissioner of Crown Lands, and examined him in presence of the Petitioner, when the only two specific cases of complaint upon which your Committee could procure any documentary testimony to proceed upon, and in these cases the Assistant Commissioner of Crown Lands displayed every disposition to render justice to the parties interested, provided the conditions were performed in accordance with the existing regulations of the Land Granting Department, at the time the locations were made and offered to receive evidence of the same

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at this remote period. Your Committee are satisfied that every justice will be done to the parties interested, provided they establish their rights to the Land, by having complied within the time allowed them by the order in Council of Upper Canada, with those provisions, the fulfilment of which is

so essential to the proper management of the Land Granting Department, and to prevent that imposition to which the same would otherwise be liable.

Your Committee cannot therefore recommend the prayer of the said Donald Cameron to the favourable consideration of Your Honourable House.

MR. BALDWIN⁵ moved for an address to His Excellency, for circulars addressed to Agents of Clergy Lands. He said that on a former occasion, he had been told⁶ by members of the Government⁷ that there was no despatch from the Home Government on the subject, and that the sole cause of the stoppage of the sale was owing to the under valuation⁸; since that, however, he had learnt that such a despatch was expressly alluded to in the circular sent to the agents for disposing of these lands. Under these circumstances, he thought it was due to the House and to the Government, that the thing should be properly investigated.⁹

MR. AT. GEN. DRAPER had no objection to the appointment of the Committee, but he would report the assertion that he had made on a previous evening, that the suspension of sales had not been made under authority of, or in deference, to any despatch from the Home Government.¹⁰ The hon. member for Ottawa, who was over the Crown Land department is not here, but he supposed that there could be no objection.¹¹

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Address,
Crown Land
Department.

On motion of the Honourable Mr. Baldwin, seconded by Mr. Price,

Resolved, That an humble Address be presented to His Excellency the Governor General, requesting that he will be pleased to cause to be laid before this House a copy of the Circular or Letter of Instructions, addressed from the Office of the Commissioner of Crown Lands, in April last, to the Local Agents of that Department, in the different sections of the Province, informing them of the pleasure of the Government, that the sales of the Clergy Reserve Lands should be suspended.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Ordinance
Vesting
Act Bill.

Ordered, That Mr. Stewart of Bytown, have leave to bring in a Bill to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in carrying the

said provision into effect.

He accordingly presented the said Bill to the House,¹²

MR. LAFONTAINE protested against measures of such importance being introduced at this late period of the session.¹³

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and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Partnerships
Bill, (U. C.)

Mr. Boulton moved, seconded by the Honourable Mr. Robinson, for leave to bring in a Bill for the forma-

tion of limited Partnerships, in Upper Canada.¹⁴

MR. LAFONTAINE said, that this was nothing more than the societe in commandite of Lower Canada. He stated that a bill of this nature had been placed in his hands, and he was busy investigating the subject.¹⁵

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The question having been put upon the said motion, a division ensued,

Yeas 17.

Nays 27.

So it passed in the negative.

Municipal
Council Bill,
(U. C.)

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to amend the Laws now in force, establishing Municipal Authorities in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Cornwall and
L'Original
Road.

Mr. Macdonald of Cornwall, moved, seconded by Mr. M'Connell, that that part of the Report of the Board of Works, relating to the Cornwall and L'Original Road, be referred to a Select Committee, composed of Mr. Macdonald of Cornwall, Mr. Macdonell of Dundas, Mr. Macdonald of Glenurry, Mr. Macdonell of Stormont, and Mr. Macdonald of Kingston, to report thereon with all convenient speed; with power to send for persons, papers, and records.¹⁶

MR. R. MACDONALD complained that under Responsible Government the Country did not obtain sufficient satisfaction in answer to complaints; gentlemen on the Treasury Benches, supported by those who expected to be on them, refused enquiry; if such were the nature of "Responsible Government" the country was come to a pretty pass.¹⁷

MR. AT. GEN. DRAPER objected to the appointment of a committee, because he was prepared to defend the conduct of the Government in this matter, some member((s)) would recollect that in 1841, a great deal of trouble had been taken¹⁸ to improve the Road between the Ottawa and St. Lawrence, which was laid out between L'Original and Lancaster¹⁹. Accordingly a sum of money was granted, and laid out under the direction of the Board of Works, on a road from L'Original to Cornwall, but in 1843, a complaint was made, that the road was not laid out so as to make Cornwall a starting place. The fact was, however, that that course would have taken the road about 16 miles further round. However, the thing was done, and the House would not take any further action. Last year, however, a sum of £900 was granted for making a road from Cornwall into this road, and a Surveyor was appointed to carry out the intentions of the Legislature. This gentleman had reported on two different routes, by one of which a good road could be made for £90,²⁰ while the other would cost £200.²¹ The Government had adopted the cheaper route, to expend the money upon, especially as there was a bridge or two on the other line which would require repairs in a short time.²²

MESSRS. WILLIAMS and ROBINSON said a few words in support of the motion²³.

MR. R. MACDONALD, in replying, said that he believed the route which was adopted by the Government was not, in fact, the cheapest, and so convinced were competent persons that this was the case, that they were willing to undertake the other road at the same price as that which was to be awarded for the route determined upon.²⁴

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The question having been put upon the said motion, a division ensued.

Yeas 15.

Nays 27.

So it passed in the negative.

MR. ARMSTRONG²⁵ moved for a Committee to enquire into certain surveys said to be made on Lake St. Peter. He said he understood that²⁶ of the seven gentlemen²⁷ appointed by the B. of Trade to enquire into the works of Lake St. Peter²⁸ who had gone down to examine the works there, a report made by two only had been accepted, and that the Board of Trade had refused to receive the report²⁹ by Capt. Boxer and five other gentlemen which he understood was to be suppressed.³⁰

MR. INSP. GEN. CAYLEY said that he thought the hon. member had made use of a very uncalled for expression as to the suppression of the report; (hear, hear). The report of the commission of Enquiry would be presented next day to His Excellency and would of course be very shortly afterwards submitted to the House. For anything which might have been done by the Board of Trade of course the commission was not answerable, but he could assert that there was no desire whatever for any concealment on the part of the committee.³¹

MR. ARMSTONG was not a little surprised that the hon. Inspector General should offer any opposition to the motion after the interview he (Mr. A.) had lately had with him. He could well understand the hon. member when he said that certain persons went down to survey Lake St. Peter, but that they were invested with no authority by Government, and that he (the Inspector General) invited Captain Boxer to accompany the Commissioners. But he (Mr. A.) took it that when the hon. Inspector General took the part he did on that occasion he acted as the Government, and he would put the question, did he (the Inspector General) not invite Captain Boxer to aid in surveying Lake St. Peter, did not the Board of Trade request one of their body to join in the survey, and did not Captain Armstrong, one of the oldest navigators of our waters, and two other experienced pilots also take part in it. He (Mr. A.) did not exactly expect an official yea or any, but he thought the hon. Inspector General could not deny that he was cognizant of the fact; be that as it might, he (Mr. A.) would, in consequence of the unexpected opposition he had met with, state facts which he would not otherwise have been induced to refer to. Messrs. Hayes and Redpath as Commissioners to inquire into the proceedings of the Board of Works, proceeded to examine Lake St. Peter accompanied by certain gentlemen who, according to the hon. Inspector General, were volunteers, viz: Captain Boxer, R. N., Captain Armstrong of the steamer Sydenham, John Young, Esquire, a member of the

Board of Trade, and Messrs. Cote and Hamelin, two most experienced pilots. Now it is currently stated that the report of Messrs. Hayes & Redpath, although diametrically opposed to that of the other gentlemen, has been accepted by the Board of Trade, and the other disallowed. The object of the motion was to procure both these reports, and to examine parties in reference to the work; and he (Mr. A.) believed that no hon. member of that House who valued his independence, would resist an enquiry so obviously called for.³²

MR. INSP. GEN. CAYLEY said those five gentlemen of the Board of Trade who accompanied the commissioner and Captain Boxer, were not recognised by the Board of Trade, but went upon their own responsibility.³³

MR. MOFFATT said that as a member of the Board of Trade he knew nothing of the proceedings referred to, and begged to assure the hon. member for Berthier, that any report presented to the Board of Trade could not be suppressed but must appear on the Journals, and could be seen at any time by a member of the Board, and even copied from the book.³⁴ Of course the Board of Trade was not bound to adopt every report that was presented to them, but every part of their proceedings was registered in their books and were open to the inspection of any subscriber. He knew nothing about this particular matter himself, because he had not attended any meetings of the Board since the commencement of the session. He might remind the hon. gentleman, however, that the fears he had entertained last year of some great calamity occurring in consequence of these works proceeding had not been borne out by the facts.³⁵

MR. ARMSTRONG replied, that the reason it had not occurred was, that the works had been discontinued.³⁶ ((He)) knew that the report drawn up by John Young, Esquire, Captains Boxer, Armstrong, Coté and Hamelin was refused, that is not adopted by the Board of Trade, and that by Messrs. Redpath & Hayes was adopted.³⁷

MR. MOFFATT. - Whether adopted or not, every report presented was on the Journals and could not be suppressed.³⁸

MR. AT. GEN. SMITH considered the motion to be premature. The report of the Commissioners appointed to examine into the affairs of the Board of Works had been laid before His Excellency that day, and it would be communicated to the House either on Monday or Wednesday; then if the statements which were made in that report with respect to the works on Lake St. Peter were not satisfactory, it would be perfectly legitimate for the hon. member for Berthier, to move for a Committee to examine the subject.³⁹

MR. ARMSTRONG said it would be remembered that during last Session he (Mr. A.) objected to, and condemned the plan of the Board of Works to shut up the different channels leading from the north and south shore; piles were brought in great quantities, piling had actually commenced as drawn on the map, but lo and behold when the absurdity of the work became too notorious, the Board of Works had the effrontery to say that it was never in contemplation to stop up the channel. He (Mr. A.) would predict that after another year's expenditure, the work now going on in Lake St. Peter would also be stopped; but he would have the satisfaction of knowing that he had done his

duty, that he had raised his voice against the waste. It might be asked why he took such an interest in the work in question? It was because he lived in its immediate locality, and was cognizant of all that was going on; and he felt that it was due to his country, his conscience and that House, to state the facts he had stated; he would repeat that he did not see why the motion he had submitted was opposed; it was to enquire into a large expenditure of money which he (Mr. A.) denounced as useless; yes, he would assert that ten year's work and ten times the money expended would not make the contemplated new channel as good as the old. He (Mr. A.) would declare in conclusion that he had no feeling against the Board of Works except on public grounds, he believed he had not an enemy on the Board and he had much respect for many of its members whom he knew, and as regarded his county there was no reason to complain, but he believed some great error existed about Lake St. Peter.⁴⁰

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Lake St. Peter.

Resolved, That that part of the Report of the Chairman of the Board of Works, which refers to Lake St. Peter, be referred to a Select Committee, composed of Mr. Armstrong, Mr. Williams, Mr. Leslie, Mr. Gowan, and Mr. Chabot, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Printed.

Ordered, That two hundred and fifty copies of the Report of E. A. Clark, Esquire, Inspector of Registry Offices, be printed for the use of the Members of this House.

Adjournment.

Mr. Laurin moved, seconded by Mr. Chabot, that when this House doth adjourn, it will adjourn until to-morrow, at one o'clock. P.M.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Mr. Laurin moved, seconded by Mr. Chabot, that when this House doth adjourn, it will adjourn until Monday next, at ten o'clock, A.M.

The question having been put upon the said motion, a division ensued.

Yeas 22.

Nays 18.

So it was carried in the affirmative, and

Ordered, Accordingly.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:--

Registry Laws
Bill, (U. C.)

"An Act to consolidate and amend the Registry Laws of that part of this Province, which was formerly Upper Canada."

Moirs Mill
Dams Bill.

"An Act to require Slides of certain dimensions to be erected upon the several Mill Dams, in the River

Moira, and its tributaries, in the District of Victoria."

Huntingdon
Plank Road
Bill.

"An Act to incorporate the Huntingdon Plank Road Company."

Agricultural
Societies Bill,
(L. C.)

"An Act to allow the formation of more than one Agricultural Society in a County in Lower Canada, and for the relief of the Society for the County of Mont-réal.

Quebec In-
corporation
Laws Bill.

"An Act further to amend the Ordinances incorporating the City of Quebec, and for other purposes."

Also,

The Legislative Council have passed the following Bills, with amendments, to which they desire the concurrence of the Assembly:--

Wolfe Island
Railroad Bill.

"An Act to incorporate the Wolfe Island, Kingston, and Toronto Railroad Company."

Peterboro'
Railroad Bill.

"An Act to incorporate the Peterborough and Port Hope Railway Company."

And also,

LEGISLATIVE COUNCIL,
Friday, 15th May, 1846.

Common
School Bill,
(U. C.)

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House, that the Legislative Council do not insist on their amendment to the Bill intituled, "An Act for the better establishment and maintenance of Common Schools in Upper Canada, to which the Legislative Assembly disagree."

And then he withdrew.

Hochelaga
Division Bill.

Mr. Foster, from the Committee of the whole House on the Bill to divide the Municipality of Hochelaga into five distinct Municipalities, and further to

(251)

provide for the support of Schools and the management of local affairs therein, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

The Honourable Mr. Viger moved, seconded by the Honourable Mr. Attorney General Draper, that the said Bill be now recommitted to a Committee of the whole House.

The question having been put upon the said motion, it passed in the negative.

Ordered, That the said Bill as amended be Engrossed.

Orleans and

Mr. Chabot, from the Committee of the whole House

Montmorency
Division Bill.

on the Bill to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration, reported, according to Order, the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Dorchester
Registry Office.

Mr. Cummings, from the Committee of the whole House on the Report of the Select Committee to which was referred the Petition of F. H. Guay, Esquire, and others, of the Parish of St. Joseph de la Pointe Lévi, and other Parishes, in the County of Dorchester, and another reference, reported, according to Order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Resolution. Resolved, That it is expedient to establish a separate Registry Office in the lower part of the County of Dorchester.

Bill.

Ordered, That Mr. Solicitor General Taschereau have leave to bring in a Bill to establish a separate Registry Office in the lower part of the County of Dorchester.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

Montreal In-
corporation
Laws Bill.

The Order of the Day for the House in Committee on the Bill to amend the laws incorporating the City of Montreal, and to facilitate the decision of cases wherein the right of any party to any office in the Corporation may be called in question, being read;

The House accordingly resolved itself into the said Committee.

Mr. Gowan took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Gowan reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Supply.

The Order of the Day for the House in Committee on the Supply granted to Her Majesty, being read;

The House accordingly resolved itself into the said Committee.

Mr. Laurin took the Chair of the Committee,⁴¹

MR. MOFFATT said, upon the salaries of the Attorneys and Solicitors General coming up, that at the Union of the Provinces it was expected that a saving would be effected.⁴² It had been expected that there was to be a reduction in the number of Crown Officers, but it appeared that such was not the case, that there were still two Attorney Generals and two Solicitor Generals. It was his opinion that one Attorney General and one Solicitor

General was quite sufficient, and in 1841, there were many hon. members who agreed with him; then they had changed their opinions, but he had not, and would move in amendment that the Solicitors General be struck off the list, leaving two Attorney Generals for the transaction of the Crown business. He would also wish that the Attorney Generals should have seats in the House but not as members of the Executive Council, so that when called on to give an opinion they might do so freely and without bias, at present every opinion every vote given by them is biassed by Executive influence. At all events it would assimilate our Constitution to that of England for the Crown Lawyers there formed no part of the Executive, and he would wish to see the same principle adopted in this Province. The hon. gentleman then moved his amendment.⁴³

MR. BALDWIN said that at one time he was approximating to the opinions of the hon. member for Montreal, but his experience has fully shown him that this proposition was impracticable. With respect to one remark made by the hon. member, he would say that although the Attorney General was not a member of the Cabinet in England, yet the Chancellor, who was a Crown Officer, was in the Cabinet, and was called upon for advice in a similar manner to that of the Attorney Generals of this Province. Another point was also to be considered; the hon. gentleman should remember that generally speaking the most prominent person in political life is a member of the legal profession; he did not mean to say that such always would be the case, but it is so at present, necessarily arising from our social condition, and if the opinion of the hon. member were universally adopted and the Government deprived of the assistance and advice of these individuals, he did not think a very desirable or beneficial change would be effected. Then as regarded the Solicitor Generals, his experience showed him the necessity of the Solicitor General (sic) West remaining at Toronto for the purposes of carrying on the Crown business. He had found even at Kingston the inconvenience of having the office at Kingston with a sort of excrescence (sic) at Toronto; and when Montreal was made the seat of Government, that inconvenience must have been felt in a far greater degree. On the score of economy, the proposition of the hon. member would certainly fail; for, in the absence of a Solicitor General, the Crown would have to employ their Counsel at a far greater expense.⁴⁴

MR. GOWAN was in favour of the motion.⁴⁵ It appeared to him that all the duty performed by the Solicitor General, was one circuit which cost the country three times as much as if Queen's Counsel were employed. The amendment proposed by the hon. member would save the country some hundreds, and he was surprised that it should receive any opposition from the hon. member for the Fourth Riding, and he was more surprised at his opposition to the wish expressed by the hon. member for Montreal to assimilate our constitution to that of the Mother country, by excluding (sic) the Attorney Generals from the Executive as well as the Solicitor Generals, if that were done and the Vice Chancellor admitted into the Cabinet, and appointed to the Speakership of the Upper House, there would be a saving to the Province of £1000 per annum.⁴⁶

MR. AT. GEN. DRAPER in reply to what had fallen from the hon. member for

Leeds,⁴⁷ said that this vote was for the present; if the Parliament choose, at any future time, to make an alteration in the Crown Officers, it could be done by Bill.⁴⁸ The Civil List is framed according to the existing Statute, and no alteration could be made until that was amended. He had himself thrown out a proposition in 1841 for making an alteration in the Civil List,⁴⁹ having only three instead of four Crown Officers, an Advocate-General, an Attorney-General and a Solicitor-General,⁵⁰ because he thought four Crown officers were unnecessary, and he was not certain his plan was defective,⁵¹ nor was he prepared to say that at some future time such a change might not be advantageous.⁵² But it was impossible to alter one Civil List for another, when it was based on an existing statute, and of course the same difficulty still exists at the present time. When the hon. gentlemen spoke of the Circuits, he could assure them that the criminal business was the least part of an Attorney General's duty, and he would appeal to those who knew anything of the duties of that situation if that were not the case. In fact he looked upon the Circuit as an agreeable relaxation or an escape from the office. It is there that the duty is heaviest, looking after revenue cases, informations (sic) for smuggling, and various other matters concerning the revenue, which everyone knows must be carefully looked after, as also the suits in Chancery, every one of which must be carefully examined in order that nothing may affect the Crown. He therefore agreed with the hon. member for the Fourth Riding, that it was an advantage to have a Crown officer at Toronto, to whom the briefs might be sent, but if instead of Solicitor General, Queen's Counsel were employed, hon. gentlemen might depend on it there would be⁵³ no economy ... effected by the diminution proposed, with regard to the efficient discharge of the duties which were now sufficiently heavy upon all.⁵⁴ With respect to what had been said on different occasions, that there should be but one Attorney General and one Solicitor General for the whole Province, he would merely say that he knew no person who would (sic) undertake to perform the duty of Attorney General for both sections of the Province and for this reason, that there was no one sufficiently well acquainted with the laws of both sections to do so.⁵⁵

MR. ROBINSON could not see any necessity for the constant attendance of the Solicitor Generals at the Seat of Government, this making it necessary to employ Queen's Counsel to perform the criminal business, but as that double expense had been incurred repeatedly, he hoped the Government would in future dispense with their attendance and allow them to attend to the Criminal prosecutions constantly.⁵⁶ In Lower Canada the amount paid to Queen's Counsel was £1,730, and in Upper Uanada (sic) only £837.⁵⁷ He would cheerfully vote for the resolution.⁵⁸

MR. BOULTON, said the time was not come for carrying into effect the amendment of the hon. member, but when it did come he was quite ready to vote for the abolition of the Solicitor Generalship altogether, for he could not see why there should be such a person⁵⁹. He did not know how the duties were done in Lower Canada, but the present Solicitor-General of Upper Canada did not do his duty in the way it had been done formerly. Queen's Counsel were employed,⁶⁰ and the worst of it was that the Counsel engaged to carry on the Criminal business, were seldom chosen on account of ability. It was sufficiently well established that political opinions generally guided the

Government in their choice. The hon. gentleman then stated that three or four years ago a Queen's Counsel charged a prisoner on three separate indictments for stealing a horse, bridle and saddle, by which he managed to pocket £12 instead of four.⁶¹

MR. AT. GEN. DRAPER said, that, until now, he had never neglected a circuit, but he had been recalled by the serious illness of Lord Metcalfe. He believed that the Solicitor-General had also been regular in his attendance on the Circuit assigned him.⁶²

MR. J. S. MACDONALD (Glengarry) agreed in the opening remarks of the member for Toronto. On a previous occasion a motion had been made that no Queen's Counsel should sit in that House. He found that most of the Queen's Counsel employed were members of that House, and chosen pretty much from the Ministerial side.⁶³ He read from the accounts that Col. Prince, Sir Allan M'Nab, and Rolland M'Donald had received payment for criminal prosecutions. He was in favour of doing away with the office of Sol. General, and establishing (as they do in the United States) District Attorneys⁶⁴, who would do the duty more economically, and with more general satisfaction, by attending to prosecute at the Quarter sessions.⁶⁵ Many prisoners are now brought in under warrant, who are liberated, because there is no person to prosecute them before the Quarter Sessions.⁶⁶

MR. GOWAN agreed in the closing remarks of the preceding speaker and hoped they would not be lost on the hon. Attorney General.⁶⁷ The powers of the Quarter Sessions are very much enlarged by the acts passed in 1841, and there was no prosecuting officer to this Court. He was in favour of doing away with the office of Solicitor General. It was vacant for several months in both sections of the Province, and no inconvenience had resulted from it.⁶⁸

MR. CHRISTIE, during the time we had no Solicitor General in Lower Canada, the charge for Queen's Counsel was most extravagant. He was in favor of only employing Queen's Counsel, but reducing their fees one third.⁶⁹

The motion was lost - Yeas 20, Nays 31.⁷⁰

MR. BALDWIN, moved that wherever the Civil Secretary and Private Secretary occur the words Governor's Secretary should be inserted⁷¹, the effect of which would be to do away with one of those officers.⁷² He thought that the words Civil or Private Secretary were likely to produce misapprehension both on the part of the incumbent and the public. He said that Lord Durham had had a Chief Secretary as had also Lord Sydenham, but that was during the time that Despotism had its sway here. When constitutional Government was restored, it seemed that the office appeared to create misapprehension⁷³ as to the position of that officer. He had always been of opinion that the public correspondence of the Province should be carried on by the Provincial Secretary, and that the Civil Secretary, or what should be called Private Secretary, should be the means of communication between the Governor General and the Imperial Government⁷⁴ or it would be likely that the Administration might get into trouble.⁷⁵ It was necessary that the Private Secretary should be a gentleman possessing the personal confidence of the Governor General, and who had therefore previous acquaintance with

him, which could not be the case if the office was permanent as at present.⁷⁶ As the representative of the Sovereign, it was due to him that he should have perfect confidence in his Secretary.⁷⁷ As to the amount of remuneration⁷⁸, it was proposed to give the Civil Secretary £1000 per annum and the Private Secretary £333,⁷⁹ but if he were to be a permanent officer, he ought not to receive as much as the Attornies General who only held office on an uncertain tenure. He said that he did in the present motion only express the opinion of Parliament, on a motion made by the hon. member for Gaspé.⁸⁰ He thought that the only way to get rid of these two offices was by uniting them, and giving a sufficient remuneration. - He hoped that the Ministry would have no objections, he felt confident that if the House was unanimous the Home Government would have no objection. He said that he made the motion free from party motives.⁸¹ He quoted Mr. Christie's resolutions on the subject, made after the resignation of the late Ministry.⁸²

MR. GOWAN, was opposed to the motion⁸³. ((He)) thought this was merely an attack directed against the present Civil Secretary, who was personally obnoxious to the late Ministry. He considered that this was a very new view of the hon. gentleman⁸⁴. He recollected when the hon. member for the 4th Riding was in office, and there was no proposition of this nature; there was then a Civil Secretary, and a Provincial Secrerary (sic) for Upper Canada, there was (sic) then more Secretaries than there are now. The member for the fourth Riding was a member of Lord Sydenham's Cabinet⁸⁵.

MR. BALDWIN: Hear, hear⁸⁶.

MR. GOWAN ((resumed:)) Yes he hoped he would hear; why then does he call it Despotic.⁸⁷

MR. BALDWIN referred to the period before the Union.⁸⁸

MR. GOWAN ((resumed:)) Moreover his quotation would not bear him out, for instead of doing away with one officer it absolutely made provision for another. It went no farther than to reduce the salary of the Civil Secretary and to increase that of the Private Secretary, while there was still two Provincial Secretaries.⁸⁹ He feared there was a good deal in the motion that savoured of party purposes, it appeared as if the hon. member was determined to have a last blow. He thought the word "Civil" ought to be retained in opposition to that of the Military Secretary.⁹⁰

MR. BALDWIN. - In reference to his being a member of Lord Sydenham's Cabinet he was not in it till after the Union, and then constitutional Government was restored.⁹¹

MR. GOWAN, you charged it with tyrannical Government, you must then have had a hand in it.⁹²

MR. BALDWIN applied the term to L. Canada before the Unionr (sic) after that Constitutional Government was restored as he had said before. He said that he had brought the motion forward free from party motives, and not for the first time. He hoped the member for Leeds would not make imputations when he knew nothing of the facts. If he would refer to the Journals of 1843, he would find this suggestion embodied in a memorandum, which had been submitted by the late Inspector General to the Governor with the concurrence

of his colleagues. Mr. Baldwin here read (sic) from the memorandum a recommendation to the same effect as that now proposed.⁹³

MR. MOFFATT thought the name Civil Secretary should be retained, but he was in favour of doing away with one of those officers, as proposed by Mr. Baldwin.⁹⁴

MR. BALDWIN was willing to alter the term to Governor's Secretary.⁹⁵ ((He said)) the hon. member for Gaspé made a motion for which he voted, so that not only did he recommend it to the Government, but in 1843, he had had the honor to record his vote in favor of the proposition. Tis true this was after the resignation, but the memorandum was before it, and this motion was made without his having been previously made aware of it.⁹⁶

MR. CHRISTIE, not one of the members of the Government were aware of the motion, the only person to whom he communicated it, were the members for Durham and Sherbrooke.⁹⁷

MR. GOWAN did not consider that his proposition would bear him out; what he stated was, that the hon. member not only retained this Secretaryship, but also a Secretary for Upper Canada; there is no proposition in what has been read to do away with the office, there may be an inuendo (sic). You proposed, he said, to continue a larger staff than there is now.⁹⁸

MR. PRICE said, that the two offices of Civil and Private Secretary had been wholly distinct. Rawson W. Rawson was Civil Secretary, and Mr. Hihginson (sic) was (sic) Private Secretary, with a salary of £320 per annum (sic). He (Mr. P.) was in favor with doing away with the Civil Secretary, and raising the salary of the Private or Governor's Secretary.⁹⁹

MR. BALDWIN said that the late Ministry were entitled to the credit of the non-appointment of a successor to Mr. Harrison which had nothing whatever to do with their resignation, and he would appeal to the hon. member for Megantic, who, he had no doubt, would do him justice in that particular.¹⁰⁰

MR. PROV. SEC. DALY said the case of Mr. Harrison had nothing whatever to do with the resignation.¹⁰¹

MR. HALL wanted to know what benefit the office of Civil Secretary conferred on¹⁰² him or his constituents that the country should pay so much for him.¹⁰³ He was opposed to such an office, and would vote for the amendment.¹⁰⁴

The motion was carried.¹⁰⁵

MR. GOWAN moved to reduce the salaries of the Civil Secretaries Department from £1786 to £500.¹⁰⁶

MR. LAFONTAINE said that such a vote would defeat the whole measure.¹⁰⁷

The motion was lost.¹⁰⁸

MR. BALDWIN moved the sum should be £1536¹⁰⁹.

((The motion)) was carried¹¹⁰.

Upon the Private Secretary's Salary coming up, it was found that it was expunged by Mr. Baldwin's motion, the House being under a misapprehension that that gentleman's motion applied only to the resolution under considera-

tion.¹¹¹

On motion of MR. LAFONTAINE the Assistant Secretaries salaries were reduced £50.¹¹²

MR. LAFONTAINE objected to the Clerks in the Surveyor of Customs Department.¹¹³

MR. MOFFATT had when this question was created, anticipated this increase; he certainly saw no use for so many Clerks, he had been always opposed to this being a District Office.¹¹⁴

MR. INSP. GEN. CAYLEY said that the work could not be done without these Clerks; the correspondence was very large, and increasing with the increase of trade; the seizures alone were considerable items in the labour of the Department.¹¹⁵ ((He)) was not prepared to dispense with a single hand in his office.¹¹⁶

MR. AT. GEN. SMITH said this was not a separate Department, but a division of the Inspector General's Department.¹¹⁷

MR. GOWAN said, when the office of Surveyor of Customs was established, he was opposed to it, but he had discovered his error, and now thought that much credit was due to the gentleman who had advised its establishment¹¹⁸.

MR. BALDWIN moved that the salary of the Chief Justice of Upper Canada be £1,250.¹¹⁹

MR. LAFONTAINE considered this to be quite sufficient; the Puisne Judges receive £1,000.¹²⁰

MR. J. A. MACDONALD of Kingston considered that £1,500 was not too much, for many practitioners at the Bar receive more than that sum from their practice. The Chief Justice ought to be an individual of the highest legal talent in the country.¹²¹

MR. BALDWIN. - The Chief Justice holds his office for life, and when he becomes disqualified from filling the situation from age or sickness, a suitable pension is granted to him. He ought not to receive more than the Provincial Ministers who hold their office by a very precarious tenure.¹²²

The motion was carried - Yeas 25 - Nays 21.¹²³

The Chief Justice of Lower Canada's salary was also reduced to £1,250.¹²⁴

MR. INSP. GEN. CAYLEY moved that the blank after the words Vice-Chancellor be filled up with £1,125.¹²⁵

MR. HALL would like to ask the Inspector General, are the services of the present Chancellor worth anything like that sum?¹²⁶

MR. J. A. MACDONALD, of Kingston, said that he considered it his duty, although he was a young member of the Bar, to call the attention of the House to the great dissatisfaction that existed throughout (sic) the Province at the decisions given in this Court.¹²⁷ This Court is now a monstrous system of abuse. The office of Vice-Chancellor is filled by a gentleman, who is not deficient in legal talent, but who does not give satisfaction.¹²⁸ It is a well known fact that¹²⁹ most of his decisions that are appealed from,

are reversed (hear, hear.) He considered that a slight adaptation of our Law to the civil Law, as in force in Lower Canada would be a great advantage and this Court might be done away with. He thought that the system of allowing each party to put the other upon his oath, called in the French law Interrogatoires sur faits et articles, ought to be introduced into Upper Canada.¹³⁰

The motion was carried.¹³¹

MR. MOFFATT moved that when the office of Chief Justice in Montreal becomes vacant, that it cease, and that the Chief Justice of Lower Canada be the only one therein. The object of the honble gentleman was to assimilate the jurisdiction in this respect to that of Upper Canada, and to have but one Superior Court sitting by division.¹³²

MESSRS. ... DEBLEURY, and GOWAN, were desirous of doing away with this office, and of assimilating the Lower Canada system of Judicature to the Upper Canada, one and of having four Puisne Judges in Montreal, instead of three, and no Chief Justice.¹³³

MESSRS. SMITH, LAFONTAINE and PRES. EX. COUN. VIGER opposed this plan, and stated that the Courts in Montreal and Quebec were entirely independent the one of the other;¹³⁴ ((that)) it was not expedient that the Senior Puisne Judge should preside,¹³⁵ and that the Chief Justice of Montreal had as many duties to perform, as the Chief Justice of the Province.¹³⁶

The motion was lost.¹³⁷

The words Chief Justice of Montreal were then agreed to.¹³⁸

MR. MOFFATT then moved that his salary be £1000¹³⁹.

((The motion)) was lost¹⁴⁰.

The sum of £1200 as proposed was agreed to.¹⁴¹

The salary of the Judge of Three Rivers is to be reduced from £1000 to £500, as sufficient compensation for the duties performed.¹⁴²

Upon the motion for the salary of the First Judge for Gaspé, MR. BOULTON wished to ask the member for Gaspé, whether, as that portion of Canada was generally exempted from the application of all general measures, there was any use for a Judge and salary for that district? (Laughter.)¹⁴³

On the motion of MR. LAFONTAINE the sum of £50 per annum was struck off the salary of the Deputy Inspector General.¹⁴⁴

On motion of MR. SMITH (Frontenac), the Salary of the Clerks of the Executive Council was reduced £50.¹⁴⁵

On the Board of Works items coming up, MR. SMITH (Frontenac) objected to any steps being taken in this matter until the new Bill on this matter was passed, he would not vote a shilling for that department until a change was made in its constitution.¹⁴⁶

The items were carried with the substitution of Provision for "Management of Public Works," instead of "Board of Works."¹⁴⁷

During the consideration of the salary of the Emigration Agent of Quebec,

MR. GOWAN said that he should, on an early day, bring before the House some transactions of the Emigration Agent at Montreal, who asserted that he was acting under Imperial instructions, which he did not think the Government could justify to the House.¹⁴⁸

MR. AT. GEN. DRAPER said that he held every officer paid by the Province accountable to it.¹⁴⁹

On the contingencies of the public offices coming up, MR. BALDWIN said that this was one of those grants which should form the subject of annual vote.¹⁵⁰

MR. INSP. GEN. CAYLEY moved the third resolution.¹⁵¹

MR. BALDWIN, seconded by MR. LAFONTAINE, moved to amend this resolution, in accordance with the resolutions passed the other evening, by striking out the words "now at the disposal of the Crown," and to insert therein in lieu thereof the words "now or at any time claimed as being at the disposal of the Crown," to prevent any misapprehension as to any portion of this revenue was at the disposal of the Crown.¹⁵²

MR. AT. GEN. DRAPER resisted the motion, as being a denial of a right absolutely vested in the Crown. The casual and territorial Revenue was the property of the Crown, surrendered, as in England, in consideration of a Civil List, and which, on the failure of that grant, reverted to the Crown.¹⁵³

The motion was lost.¹⁵⁴

MR. INSP. GEN. CAYLEY moved that the said Civil List shall not be payable until after the repeal of the 50, to 57th clauses of the Union Act inclusive, with the schedules.¹⁵⁵

This resolution was suggested by MR. BALDWIN.¹⁵⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also that he was directed by the Committee to move for leave to sit again.

Ordered, That the Report be received on Monday next.

Ordered, That the said Committee have leave to sit again on Monday next.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until Monday next.

Then, on motion of the Honourable Mr. Viger, seconded by the Honourable Mr. Daly,

The House adjourned until Monday next.

APPENDIX, 15 MAY 1846.

((NOTICE OF MOTION RE: CROWN LANDS.))

MR. GOWAN gave notice that he would, on Wednesday, move the House into Committee on the following resolutions, for the purpose of founding a bill thereon:

1st. That His late Majesty King George the 3rd, of blessed memory, was graciously pleased in the year 1707 to communicate to the Government of the Province of Upper Canada, by a despatch from His Grace the Duke of Portland to Mr. President Russell, in answer to a joint address of the Legislature of the said province of Upper Canada, His Majesty's intention to set apart a certain portion of the waste lands of the Crown, as a fund for the establishment of Free Grammar Schools in those districts in which they might be called for, and in the process of time to establish other seminaries of a more comprehensive nature.

2d. That although upwards of 38 years have elapsed since His Majesty made this most gratifying communication, it has not come within the knowledge of this House, that even one Free Grammar School has been endowed from the lands so set apart for that specific purpose, nor any other seminary, save the University of King's College at Toronto, and the Upper Canada College incorporated therewith.

3d. That the establishment by the Legislature of Upper Canada of a Public School in each District, with a salary of £100 per annum, paid out of the Provincial Treasury, to the Master, does not afford sufficient means to instruct the youth of the Province in the several branches of classical scientific learning, and ought not to be considered as a reason for withholding the support which His said Majesty intended for the District Free Grammar Schools.

4th. That it is most important to the contentment and welfare of Her Majesty's Canadian subjects that the said lands be appropriated to the purpose for which they were originally intended, and that immediate steps should be taken to secure from the said lands an adequate addition to the present endowment for a District Grammar School, and also for the endowment of other Schools, in such of the large Townships of the province, as from their extensive and rapidly increasing population, are now in a state to require the establishment of Free Grammar Schools, to enable the inhabitants generally to confer the blessing of a liberal education on their children, and to find employment as masters for such of them as may be hereafter found to possess the necessary proficiency in literary, classical and scientific knowledge.

5th. That instead of the proceeds of such lands passing through the hands of a bursar, or other officer, or being under the control or management of a Council or College Board, it would be much more satisfactory to Her Majesty's faithful Canadian subjects, if the moneys which have been already accrued and all which may hereafter arise from the sale of such lands, should be transferred immediately into the hands of the Receiver General of the Province; thus placing the whole system of management open to public inspection and approval and securing the funds in the hands of an officer directly responsible to the Provincial Legislature.

6th. That leave be given to introduce a Bill in conformity with the foregoing resolutions.¹⁵⁷

((QUESTION AND ANSWER RE: LOWER CANADA BRIDGES.))¹⁵⁸

MR. METHOT asked the Ministry a question in reference to bridges in Lower Canada.¹⁵⁹

MR. SMITH said that that matter would be settled on the interference of the Legislature.¹⁶⁰

((QUESTION AND ANSWER RE: PROROGATION OF PARLIAMENT.))¹⁶¹

((An honorable member asked a question.))¹⁶²

MR. AT. GEN. DRAPER ... said he could not specify a day on which the house would be prorogued, but it was the intention of Ministers to do so as soon as the business of the country would allow.¹⁶³

It was agreed that from Monday, 18th inst., the House of Assembly will meet twice a day, in order to expedite the business of the country.¹⁶⁴

FOOTNOTES - 15 MAY 1846.

1. The debate on this motion was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts.
2. MIRROR, 15 May 1846.
3. IBID.
4. IBID.
5. The debate on this motion was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 19 May 1846; and MONTREAL GAZETTE, 19 May 1846.
6. MIRROR, 15 May 1846.
7. MONTREAL TRANSCRIPT, 19 May 1846.
8. MIRROR, 15 May 1846.
9. MONTREAL TRANSCRIPT, 19 May 1846.
10. IBID.
11. MIRROR, 15 May 1846.
12. The following was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts.
13. MIRROR, 15 May 1846.
14. The following was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts.
15. MIRROR, 15 May 1846.
16. The debate on this motion was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 19 May 1846; and MONTREAL GAZETTE, 19 May 1846. Draper's speech was reported identically by MONTREAL TRANSCRIPT, 19 May 1846, and MIRROR, 15 May 1846.
17. MIRROR, 15 May 1846.
18. IBID.
19. MONTREAL GAZETTE, 19 May 1846.
20. MIRROR, 15 May 1846. The MONTREAL GAZETTE, 19 May 1846, quoted the figure as £110.
21. MIRROR, 15 May 1846. The MONTREAL GAZETTE, 19 May 1846, quoted the figure as £210.
22. MIRROR, 15 May 1846.
23. MONTREAL TRANSCRIPT, 19 May 1846.
24. IBID.
25. The debate on this motion was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts; MONTREAL GAZETTE, 19 May 1846; MONTREAL TRANSCRIPT, 19 May 1846, and MIRROR, 15 May 1846, in accounts which contain some identical speeches, and some which are completely dissimilar.
26. MIRROR, 15 May 1846.
27. MONTREAL GAZETTE, 19 May 1846.
28. MIRROR, 15 May 1846.
29. MONTREAL GAZETTE, 19 May 1846.
30. MIRROR, 15 May 1846.
31. IBID.
32. IBID.
33. IBID.

34. IBID.
35. MONTREAL TRANSCRIPT, 19 May 1846.
36. IBID.
37. MIRROR, 15 May 1846.
38. IBID.
39. IBID.
40. IBID.
41. This matter was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts; PILOT, 16 May 1846, which was copied by BROCKVILLE RECORDER, 21 May 1846; COBOURG STAR, 27 May 1846; LA MINERVE, 18 May 1846, which was copied by LE CANADIEN, 25 May 1846; LA MINERVE, 25 May 1846; L'AUREOLE, 27 May 1846; MONTREAL GAZETTE, 19 May 1846, and LA MINERVE, 18 May 1846, in accounts which are identical except that in LA MINERVE, some speeches have been omitted entirely.
42. MONTREAL GAZETTE, 19 May 1846.
43. MIRROR, 15 May 1846.
44. IBID.
45. MONTREAL GAZETTE, 19 May 1846.
46. MIRROR, 15 May 1846.
47. IBID.
48. MONTREAL GAZETTE, 19 May 1846.
49. IBID.
50. MONTREAL GAZETTE, 19 May 1846.
51. MIRROR, 15 May 1846.
52. MONTREAL GAZETTE, 19 May 1846.
53. MIRROR, 15 May 1846.
54. MONTREAL GAZETTE, 19 May 1846.
55. MIRROR, 15 May 1846.
56. IBID.
57. MONTREAL GAZETTE, 19 May 1846.
58. MIRROR, 15 May 1846.
59. IBID.
60. MONTREAL GAZETTE, 19 May 1846.
61. MIRROR, 15 May 1846.
62. MONTREAL GAZETTE, 19 May 1846.
63. IBID.
64. MIRROR, 15 May 1846.
65. MONTREAL GAZETTE, 19 May 1846.
66. MIRROR, 15 May 1846.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. IBID.
72. MONTREAL GAZETTE, 19 May 1846.
73. MIRROR, 15 May 1846.
74. MONTREAL GAZETTE, 19 May 1846.
75. MIRROR, 15 May 1846.
76. MONTREAL GAZETTE, 19 May 1846.
77. MIRROR, 15 May 1846.

78. IBID.
79. MONTREAL GAZETTE, 19 May 1846.
80. MIRROR, 15 May 1846.
81. IBID.
82. MONTREAL GAZETTE, 19 May 1846.
83. MIRROR, 15 May 1846.
84. MONTREAL GAZETTE, 19 May 1846.
85. MIRROR, 15 May 1846.
86. IBID.
87. IBID.
88. IBID.
89. MONTREAL GAZETTE, 19 May 1846.
90. MIRROR, 15 May 1846.
91. IBID.
92. IBID.
93. IBID.
94. MONTREAL GAZETTE, 19 May 1846.
95. IBID.
96. MIRROR, 15 May 1846.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. MONTREAL GAZETTE, 19 May 1846.
104. MIRROR, 15 May 1846.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. MONTREAL GAZETTE, 19 May 1846.
112. MIRROR, 15 May 1846.
113. IBID.
114. IBID.
115. MONTREAL GAZETTE, 19 May 1846.
116. MIRROR, 15 May 1846.
117. MONTREAL GAZETTE, 19 May 1846.
118. MIRROR, 15 May 1846.
119. IBID.
120. IBID.
121. IBID.
122. IBID.
123. IBID.
124. IBID.
125. IBID.
126. IBID.
127. COBOURG STAR, 27 May 1846.

128. MIRROR, 15 May 1846.
129. COBOURG STAR, 27 May 1846.
130. MIRROR, 15 May 1846.
131. IBID.
132. MONTREAL GAZETTE, 19 May 1846.
133. MIRROR, 15 May 1846. According to the MIRROR, Moffatt shared these ideas.
134. MIRROR, 15 May 1846.
135. MONTREAL GAZETTE, 19 May 1846.
136. MIRROR, 15 May 1846.
137. MONTREAL GAZETTE, 19 May 1846.
138. MIRROR, 15 May 1846.
139. IBID.
140. IBID.
141. IBID.
142. MONTREAL GAZETTE, 19 May 1846.
143. IBID.
144. IBID.
145. IBID.
146. IBID.
147. IBID.
148. IBID.
149. IBID.
150. IBID.
151. IBID.
152. IBID.
153. IBID.
154. IBID.
155. IBID.
156. IBID.
157. COBOURG STAR, 27 May 1846.
158. This matter was reported by: MIRROR, 15 May 1846, and PILOT, 19 May 1846, in identical accounts.
159. MIRROR, 15 May 1846.
160. IBID.
161. This matter was reported by: MONTREAL GAZETTE, 19 May 1846, and BRITISH COLONIST, 22 May 1846, in accounts which are identical except that in MONTREAL GAZETTE some speeches have been omitted entirely.
162. BRITISH COLONIST, 22 May 1846.
163. IBID.
164. IBID.

MONDAY, 18 MAY 1846.

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Distribution of
the Statutes.

MR. SPEAKER laid before the House a Statement of the Queen's Printer, of the distribution of the Statutes of Canada, Session 1844-5, pursuant to 8th Vict.,

cap. 68.

(For the said Statement, see Appendix H.H.)

Petitions laid
on the table.

The following Petitions were severally brought up and laid on the table:--

By Mr. Price,--The Petition of James G. Edwards and others, of the Township of King, in the County of York; the Petition of Thomas W. Tyson, and others, of the Township of King, in the Home District, (relating to King's College;) the Petition of Timothy Devenish and others, of the Township of Scarborough, in the Home District; the Petition of John Watson and others, of the Township of King, and parts adjacent; and the Petition of Thomas W. Tyson and others, of the Township of King, in the Home District, (relating to the Clergy Reserves.)

By Mr. Cummings,--The Petition of the Reverend Adam Townley and others, members of the United Church of England and Ireland, in the Townships of Dunn, Dunnville, and parts adjacent, in the Diocese of Toronto.

By Mr. Smith of Frontenac,--The Petition of the Corporation of the Town of Prescott.

By the Honourable Mr. Robinson,--The Petition of George Lount and others, of Holland Landing and its vicinity; and the Petition of Henry Cornelius Finlay, Contractor.

Hochelaga
Division Bill.

An Engrossed Bill to divide the Municipality of Hochelaga into five distinct Municipalities, and further to provide for the support of Schools and the management of local affairs therein, was read for the third time.

Resolved, That the Bill do pass; and the Title be "An Act to divide the Municipalities of Hochelaga and of Three Rivers, respectively, into distinct Municipalities, and further to provide for the support of Schools, and the management of local affairs therein."

Ordered, That Mr. Leslie do carry the said Bill to the Legislative Council, and desire their concurrence.

Orleans and
Montmorency
Division Bill.

An Engrossed Bill to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cauchon do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal In-
corporation

An Engrossed Bill to amend the Laws incorporating the City of Montreal, and to facilitate the decision

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Laws Bill. of cases wherein the right of any party to any Office in the Corporation may be called in question, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read. Pursuant to the Order of the Day the following Petitions were read.

Of R. C. Gapper and others, of Yonge Street and its vicinity, in the Home District, complaining that the Board of Works have not improved the said Street as provided for by the grant of last Session, for communication between Lakes Ontario and Huron, and praying relief.

Of Donald Cameron of Thorah, in the Home District; praying to be remunerated for his losses in consequence of his false imprisonment on the charge of High Treason.

Of Mrs. Margaret E. V. Reeves, wife of Francis Metzler and others, of the River St. Pierre, in the Parish of Montreal; praying that no discretionary power may be given to the Commissioners appointed to investigate the new intended road at River St. Pierre.

Of James Morris and others, of MacNab and Horton, Members of the Presbyterian Church of Canada, in connection with the Church of Scotland; and of Alexander Wright and others, Episcopal Methodists, and others, of Renfrew; praying that the Charter of the University of King's College may be amended by the passing of the Bill introduced during the last Session for that purpose.

Of the Reverend William King and others, Members of the Established Church of England and Ireland, in the Township of Bury; praying that a clause may be inserted in all Bills granting Railway Privileges, to prohibit travelling or the transport of goods on Sundays.

Of John Richards and others, of the District of Prince Edward; praying for certain alterations in the License Law, for the discouragement of Intemperance.

Of the Trustees of the Montreal Turnpike Roads; praying that the Act 8 Vic. cap. 40, may be so amended as to secure the said Trust from the interference of any Municipal Council.

Of George Rykert, Esquire, and others, of the Town of St. Catharines, in the District of Niagara; of William Wiley and others, of the Township of Grantham, in the District of Niagara; and of Peter B. Nelles and others, of the Township of Grimsby, in the District of Niagara; praying that St. Catharines may be chosen as the District Town of the said District, or otherwise that further action be suspended on the Bill relating to the removal of the District Town.

Petition of R. C. Gapper, et al. referred.

Resolved, That the Petition of R. C. Gapper and others, of Yonge Street, and its vicinity, in the Home District, be referred to a Select Committee, composed of the Honourable Mr. Robinson, the Honourable Mr. Baldwin, Mr. Monro, Mr. Price, and Mr. Duggan, to examine the con-

tents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

J. B. A. Chamberland, Esq.
et al.

Mr. Bertrand, from the Select Committee to which was referred the Petition of J. B. A. Chamberland, Esquire and others, of the County of Rimouski, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix I.I.)

Printed.

Ordered, That the said Report be printed for the use of the Members of this House.

Contingencies.

Mr. Roblin, from the Standing Committee on Contingencies, presented to the House, the Third Report of the said Committee, which was again read at the Clerk's table; and is as followeth:--

It being reported to your Committee, that the balance remaining in the hands of the Clerk, of £233, at the last audit, together with the sum of £5,000, since granted by Address to His Excellency, are very nearly expended, they beg leave to recommend a further advance in favour of the Clerk, of the sum of Four Thousand Pounds, which, together with the former sums in his hands, will be deducted from the General Estimate of Contingencies at the close of the Session.

Ordered, That the said Report be committed to a Committee of the whole House to-morrow.

On motion of Mr. Hale, seconded by Mr. Brooks,

Address,
Eastern Town-
ships Road.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will be pleased to cause to be laid before this House, Copies of all Instructions given by the Board of Works to the Surveyors employed in Surveying the main Eastern Townships Road, particularly the Branch thereof to Sherbrooke, together with the Reports of the said Surveyors upon the same.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Crown Prop-
erty Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill to exempt the Property of the Crown from Local Rates and Taxes in Lower Canada.

He accordingly presented the said Bill to the House,¹

MR. MOFFATT, this bill will affect the revenues of the cities of Quebec and Montreal, he thought therefore that notice of the intention ought to have been given to them.²

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and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Ordered, That when this House doth adjourn, it will adjourn until half-past two o'clock, P.M., this day.

On motion of Mr. Christie, seconded by Mr. Taché,

Quebec St.
George's So-
ciety Bill.

Ordered, That the Bill to incorporate the St. George's Society of Quebec, as reported by the Standing Committee on Private Bills, be committed to a Committee of the whole House to-morrow.

On motion of Mr. Hall, seconded by Mr. Macdonald of Kingston,

Peterboro'
Railroad Bill.

Ordered, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to incorporate the Peterborough and Port Hope Railway Company," be now taken into consideration.

The House proceeded, accordingly, to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 36.--After "named," insert "before proceeding to business, or, in the event of their disagreeing as to the choice of such other person, to be appointed by the Judge of the District Court for the District in which the lands are situate, before the others proceed to business."

" 4, " 14.--After "aforesaid," insert "or refuse, or neglect so to do, for the space of one calendar month, after

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having been thereunto required by the said Company."
Press 4, Line 16.--Leave out from "apply," to "them," in line 23, both inclusive, and insert "nominate one indifferent person, and for the Judge of the District Court, for the District in which the lands are situate, on the application of the said Company, to nominate and appoint one other indifferent person, who, together with one other person, to be chosen by the persons so named before proceeding to business, or in the event of their disagreeing as to the choice of such other person, to be appointed by the said Judge, before the others proceed to business."

" " " 28.--Leave out "their," and insert "the."

" " " 28.--After "decision," insert "of the majority of such arbitrators."

" " " 44.--Leave out from "apply" to "time," in Press 5, Line 1, and insert "nominate one indifferent person, and for the Judge of the District Court, for the District in which such lands are situate, on the application of the said Company, to nominate and appoint one other indifferent person, who, together with one other person, to be chosen by the persons so named before proceeding to business, or, in the event of

their disagreeing as to the choice of such other person, to be appointed by the said Judge before the others proceed to business, shall be arbitrators."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Hall do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Macdonald of Kingston, seconded by Mr. Hall,

Wolfe Island
Railroad Bill.

Ordered, That the amendments made by the Legislative Council, to the Bill intituled, "An Act to incorporate the Wolfe Island, Kingston, and Toronto

Railroad Company," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 3, Line 13.--After "named," insert "before proceeding to business, or in the event of their disagreement as to the choice of such other person, to be appointed by the Judge of the District Court, for the District in which the lands are situate, before the others proceed to business."

Press 5, Line 9.--After "aforesaid" insert "or refuse, or neglect so to do, for the space of one calendar month, after having been thereunto required by the said Company."

" " " 10.--After "Company," leave out all the words from "to" to "them" in line 16, both inclusive, and insert "to nominate one indifferent person, and for the Judge of the District Court for the District in which such lands are situate, on the application of the said Company, to nominate and appoint one other indifferent person, who, together with one other person, to be chosen by the persons so named, before proceeding to business, or, in the event of their disagreement as to the choice of such other person, to be appointed by the said Judge, before the others proceed to business."

" " " 21.--Leave out "their," and insert "the."

" " " 21.--After "decision," insert "of the majority of such arbitrators."

" " " 35.--After "Company," leave out from "to" to "time" in line 37, both inclusive, and insert "to nominate one indifferent person, and for the Judge of the District Court for the District in which such lands are situate, on the application of the said Company, to nominate and appoint one other indifferent person, who, together with one other person, to be chosen

by the persons so named, before proceeding to business, or, in the event of their disagreeing as to the choice of such other person, to be appointed by the said Judge before the others proceed to business, shall be arbitrators."

" " " 42.--After "mortgagee," insert "as a payment for and on account of the said mortgagee."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Macdonald of Kingston, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Leave of
Absence.

Ordered, That Mr. Thompson have leave to absent himself from this House, for two weeks, on account of illness in his family.

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Cornwall
Incorpor-
ation Bill.

Mr. Armstrong, from the Committee of the whole House, on the Bill to amend the Act of incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu of a Police, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Commissioners
of Enquiry
Bill.

The Order of the Day for the second reading of the Bill, to empower Commissioners for enquiring into matters connected with the Public Business, to take evidence on Oath, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Woods took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Woods reported, that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Adjournment.

Mr. Gowan moved, seconded by Mr. Thompson, that this House do now adjourn;

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

The House adjourned accordingly.

2:30 O'CLOCK, P.M.

House attends
in Legislative
Council.

A Message from His Excellency the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod.

MR. SPEAKER.

His Excellency the Governor General desires the immediate attendance of this Honourable House, in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber. And being returned,

Bills as-
sent to.

Mr. Speaker reported that, agreeable to the commands of His Excellency the Governor General, the House had attended upon His Excellency in the Legislative Chamber, where His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Public and Private Bills:--

"An Act to incorporate the Town of Kingston as a City."

"An Act to authorize the Devises and Trustees of the Will of the late Honourable Charles Jones, to convey a Town Lot therein mentioned to the President and Board of Police of Brockville, for the uses and purposes therein mentioned."

"An Act to amend the Act therein mentioned, relating to the appropriation of monies derived from the sale of School Lands in Upper Canada."

"An Act to amend the Act for the encouragement of Agriculture, by the establishment of Agricultural Societies in Lower Canada."

"An Act relating to the Magdalen Islands in the Gulf St. Lawrence, and to enable the Inhabitant Householders therein to establish a Municipal Council in the said Islands, and to extend the like advantages to certain localities in the County of Saguenay, and to those parts of the Counties of Rimouski and Kamouraska known as the Madawaska Territory."

"An Act to authorize the Courts of Queen's Bench and of Chancery in Upper Canada in their discretion to admit John W. Dempsey, to practice as an Attorney and Solicitor therein."

"An Act to enforce the attendance of Witnesses before Magistrates in Lower Canada in certain cases."

"An Act to incorporate certain persons as 'The Trafalgar, Esquesing and Erin Road Company.'"

"An Act for the substitution of more simple modes of assurance in lieu of Fines and Recoveries."

"An Act to alter the mode of Assessment in the Towns of Niagara and Queenston."

"An Act to vest in Richard E. Vidal, his Heirs and Assigns, the Government Allowance for a Road across certain lots of land in the Township of Sarnia, in the Western District, now belonging to him."

"An Act for the better preservation of Wild Fowl in the County of L'Islet."

"An Act to consolidate and amend the Laws relating to the Provincial Penitentiary."

"An Act for defining and establishing the course of the side lines of Lots in the Gore of the Township of Gloucester, in the District of Dalhousie."

"An Act to provide for the recovery of the Rates or Taxes intended to be imposed by certain By-Laws of the District Council of the District of Huron."

"An Act to alter and amend the Laws imposing Provincial Duties of Customs."

"An Act to incorporate Les Dames Religieuses de Notre Dame de Charité du Bon Pasteur, at Montreal, for the care and reformation of Female Penitents."

"An Act for the relief of John Macara, of the City of Toronto, Esquire."

"An Act to repeal an Act therein mentioned, authorizing the raising of a sum of money in the District of Niagara, for the purpose of relieving the said District from debt."

"An Act to provide for vesting in Trustees the Sites of Schools in that part of this Province called Upper Canada."

"An Act to explain and amend a certain Act therein mentioned, and to make further provision concerning Ferries in Upper Canada."

"An Act to amend an Act passed during the last Session of this Parliament, intituled, 'An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the practice of District Courts in the several Districts of that part of this Province, formerly Upper Canada.'"

"An Act to incorporate certain persons under the name of the 'Albion Road Company.'"

"An Act to encourage the establishment of certain Societies commonly called Building Societies in that part of the Province of Canada, formerly constituting Upper Canada."

"An Act to transfer to Queen's College at Kingston, certain Estates, Rights and Liabilities of the University at Kingston."

"An Act to prevent the opening of Government Allowances for Roads without an order from the District Council of the District in which the said

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allowances are situate."

"An Act to amend the Law in cases of Forgery."

"An Act to facilitate the conveyance of Real Property."

"An Act to remove certain doubts as to the jurisdiction conferred upon the Court of Chancery in Upper Canada, in matters relating to Lunatics, Idiots, and persons of unsound mind, and their Estates, and to amend and extend the Laws in force in Upper Canada, relating to Lunatics, Idiots, and persons of unsound mind and their Estates."

"An Act to increase the salary of the Supervisor of Cullers."

"An Act to vest in James K. Andrews a certain allowance for Road, in the Township of Dumfries, in the District of Gore."

"An Act to incorporate 'La Communauté des Filles de la Charité' of the Parish of St. Hyacinthe, in the District of Montreal, for the care of infirm and sick persons, and for other purposes."

"An Act to indemnify Anthony Leslie, Inspector of Licenses, for having, in ignorance of the Law, voted at the late Election for the County of Lanark."

"An Act for the better administration of Justice in the General Sessions of the Peace for Gaspé, and for preventing charges upon the Treasury of the Province for unnecessarily summoning Jurors."

"An Act to repeal certain Acts therein mentioned, and to impose a duty on Distillers and on the Spirituous Liquors made by them, and to provide for the collection of such duties."

"An Act to revive and extend an Act of the Parliament of Upper Canada, third Victoria, Chapter thirty-three, intituled, 'An Act to incorporate certain persons under the name and style of the President, Directors and Company of the Bronte Harbour.'"

"An Act to remedy certain defects in the Registration of Titles in the County of Hastings in Upper Canada."

Petitions laid
on the table.

The following Petitions were severally brought up and laid on the table:--

By the Honourable Mr. Baldwin,--The Petition of Robert Fleming Gourlay, (relating to a Compensation.)

By Mr. Scott,--The Petition of Joseph G. Barthe, of the City of Montreal, Esquire; praying that the further consideration of the Bill to provide for the removal of the place of holding the Circuit Court and the Registry Office, in the County of Yamaska, from La Baie to St. François, be postponed until the next Session of the Provincial Parliament.

On motion of Mr. Scott, seconded by Mr. Macdonald of Glengarry.

Ordered, That the said Petition be now read, and that the Rule of this House, of the twenty-eighth of June, 1841, be suspended as to the present Petition.

The said Petition was read accordingly.

Cornwall
Incorporation
Bill.

An Engrossed Bill to amend the Act of Incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu of a Police, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to amend the Act of Incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu of a Board of Police."

Ordered, That Mr. Macdonald of Cornwall, do carry the said Bill to the Legislative Council, and desire their concurrence.

Commissioners
of Enquiry
Bill.

An Engrossed Bill to empower Commissioners for enquiring into matters connected with the Public Business, to take evidence on oath, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.

Bills of Exchange Bill,
(Inland.)

Bills of Exchange Bill
(Foreign.)

The Honourable Mr. Moffatt, from the Select Committee to which was referred the Bill to amend the Law regulating Inland Bills of Exchange and Promissory Notes, and the protesting thereof; and the Bill to amend the Law relative to damages on protested Foreign Bills of Exchange, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have bestowed much attention on the the Bill to amend the Law regulating Inland Bills of Exchange and Promissory Notes, and the protesting thereof, and finding much diversity of opinion respecting some of its provisions, deem it inexpedient to proceed further with the measure during the present Session. Meanwhile they recommend the passing of a Bill by Your Honourable House, to repeal so much of the Law as allows damages on Inland Bills of Exchange and Promissory Notes, and to establish uniformity of practice in relation to the same, on some points of difference in the existing usages of the two sections of the Province, which are productive of inconvenience in the transaction of commercial business.

For the same reasons your Committee deem it inexpedient to proceed further during the present session with the Bill relative to damages of Foreign Bills of Exchange, and as the Law of Lower Canada on this subject will expire with the close of the present Session, they respectfully recommend that the Law be continued for another year, and until the end of the then next ensuing session of the Provincial Legislature; and that the same be included in the Bill to continue the Acts about to expire.

Ordered, That the Honourable Mr. Moffatt have leave to bring in a Bill to make certain amendments in the Law relative to Inland Bills of Exchange and Promissory Notes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Wednesday next.

Adjournment.

Mr. Laurin moved, seconded by Mr. Jobin, that when this House doth adjourn, it will adjourn until tomorrow at ten o'clock, A.M.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Supply.

Mr. Laurin, from the Committee of the whole House on the Supply granted to Her Majesty, reported, according to Order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:--

1. Resolved, As the opinion of this Committee, That there be granted to Her Majesty, Her Heirs and Successors, and payable in every year, out of the Consolidate Revenue of this Province, the sum of Thirty-three

thousand and thirty-one pounds, Currency, for defraying the several charges named in the following Schedule marked A:-- (See p. 1505.)

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2. Resolved, As the opinion of this Committee, That there be granted to Her Majesty, Her Heirs and Successors, during the life of Her Majesty, and for five years after the demise of Her Majesty, in every year, out of the said Consolidated Revenue Fund, the further sum of Thirty-seven thousand four hundred and fifty pounds fifteen shillings and three pence, Currency, for defraying the several charges named in the following Schedule marked B:-- (See p. 1506.)
3. Resolved, As the opinion of this Committee, That during the time for which the said sums of Thirty-three thousand and thirty-one pounds, currency, and Thirty-seven thousand four hundred and fifty pounds fifteen shillings and three pence currency, are severally payable, the same shall be accepted and taken by Her Majesty by way of Civil Lists, instead of all Territorial and other Revenues now at the disposal of the Crown in this Province, and that three-fifths of the net produce of the said Territorial and other Revenues now at the disposal of the Crown in this Province, shall be paid over to the account of the said Consolidated Revenue Fund, and that during the life of Her Majesty, and for five years after the demise of Her Majesty, the remaining two-fifths of the net produce of the said Territorial and other Revenues shall be paid over in like manner to the account of the said Consolidated Revenue Fund.

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4. Resolved, As the opinion of this Committee, That the said several sums shall not be payable until the repeal of the 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, and 57th, sections of a certain Act passed by the Imperial Parliament in the third and fourth years of Her Majesty's Reign, intituled "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," together with the Schedules referred to, in the same.

On motion of the Honourable Mr. Cayley, seconded by the Honourable Mr. Attorney General Smith,

Ordered, That the question of concurrence be now separately put upon each of the said Resolutions.

The first of the said Resolutions being again read,

And the first to the Sixth Items, inclusive of the Schedule, being also read, and the question being separately put upon each, they were agreed to by the House.

The Seventh Item being again read,³

MR. MOFFATT renewed his objection to the continuance of two Chief Justices in Lower Canada; but he thought that according to the Union Act, Sec. 53., the offices in Schedule A, to which the present belonged, could not be abolished but the salaries might be altered, and if after the time of the present incumbent the Government thought fit to abolish the office, there would be less difficulty than at present in effecting it. He would vote

SCHEDULE A.

		Offices, &c.	Amounts payable according to present Establishments.		Proposed amount to be allowed in future, as vacancies occur by the removal of the present Incumbents.	
			Currency.		Currency.	
			£	s. d.	£	s. d.
1	Governor-General, to be in lieu of Fees, Seizures and Forfeitures, £7000 Stg.	.....	7777	15 6	7777	15 6
		<u>Upper Canada.</u>				
2	One Chief Justice	.....	1666	14 4	1250	0 0
3	Four Puisne Judges, at £1000 each	.....	4000	0 0	4000	0 0
4	One Vice-Chancellor	.....	1250	0 0	1111	2 2
		<u>Lower Canada.</u>				
5	One Chief Justice of Canada	.....	1666	13 4	1250	0 0
6	Three Puisne Judges, Quebec, at £1000 each	.....	3000	0 0	3000	0 0
7	One Chief Justice of Montreal or Quebec, as the case may be	.....	1222	4 4	1200	0 0
8	Three Puisné Judges of Montreal, at £1000 each	.....	3000	0 0	3000	0 0
9	One Judge at Three Rivers	.....	1000	0 0	500	0 0
10	One Judge for the District of St. Francis	.....	555	11 1	500	0 0
11	First Judge, District of Gaspé	.....	555	11 1	500	0 0
12	Second do	.....	500	0 0	500	0 0
13	Pensions to Judges	.....	2222	2 4	2222	2 4
14	Attorneys and Solicitors General, Salaries, and Allowances for Contingencies	.....	3200	0 0	3200	0 0
15	Court of Vice-Admiralty	.....	472	4 4	470	0 0
16	Circuit Allowances to Judges	.....	1550	0 0	1550	0 0
17	Permanent Clerk attached to the Crown Law Department	.....	300	0 0	300	0 0
Totals, Currency			£34638	15 4	£23071	0 0

SCHEDULE B.

Offices, &c.		Amounts payable according to present Establishments.	Proposed amounts to be allowed in future, as vacancies occur by the removal of the present Incumbents.
		Currency.	Currency.
		£ s. d.	£ s. d.
1	Governor's Secretary and his Office	1925 8 6	1536 0 0
2	Provincial Secretary and his Office	4423 1 10	4242 0 0
3	Registrar's Office to merge in the Provincial Secretary's Office after the present Incumbency	1083 6 6	650 0 0
4	Receiver-General's Office	2300 8 8	2056 0 0
5	Inspector-General and his Office	4022 13 4	3856 0 0
6	Executive Council Office	2922 4 4	2637 0 0
7	Board of Management of Public Works	2094 17 7	2000 0 0
8	Emigrant Agent	752 4 2	752 4 2
9	Pensions	5555 11 1	5555 11 1
10	Indian Annuities	6666 0 0	6666 0 0
11	Contingencies of Public Offices	7500 0 0	7500 0 0
Totals, Currency		£39345 16 0	£37450 15 3

against the item.⁴

MR. SOL. GEN. SHERWOOD thought that the change proposed by Mr. Moffatt could not then be effected; the Judicature of Lower Canada should first be altered; while the present offices were in existence it was the duty of the Legislature to provide salaries for each of the Judges.⁵

MR. GOWAN and MR. DEBLEURY supported the views of Mr. Moffatt.⁶

MR. AT. GEN. SMITH, MR. PRES. EX. COUN. VIGER and MR. LAFONTAINE spoke against the change on the ground urged by Sol. Gen. Sherwood.⁷

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and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Bertrand, Bouthillier, Cauchon, Cayley, Chauveau, Christie, Cummings, Desaulniers, DeWitt, Attorney General Draper, Duggan, Foster, Jessup, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, Méthot, Monro, Papineau, Petrie, Price, Robinson, Rousseau, Scott, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, and Viger.--(41.)

NAYS.

DeBleury, Ermatinger, Gowan, Macdonald of CORNWALL, M'Connell, Moffatt, Seymour, and Stewart of BYTOWN.--(8.)

So it was carried in the affirmative.

The Eighth to the Thirteenth Items inclusive, being again read, and the question being separately put upon each, they were agreed to by the House.

The Fourteenth Item being again read;

The Honourable Mr. Moffatt moved, in amendment thereto, seconded by the Honourable Mr. DeBleury, that the words "and Solicitors," be struck out of the same.

MR. MOFFATT ((said:)) The object of this amendment would be to abolish the office of Solicitors General in both sections of the Province.⁸

MR. BALDWIN spoke against the proposition, and contended that as the Solicitor General was the person who was to succeed to the office of Attorney General, it was right that he should have the benefit of political and Parliamentary experience. He (Mr. Baldwin) must, without any desire whatever to reflect upon the learned gentleman appeal to the Attorney General East, to say whether if he had had Parliamentary experience, he would not have been more competent to discharge both his professional and Parliamentary duties in that House.⁹

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The Question having been put on the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Christie, DeBleury, Gowan, Lantier, Macdonald of GLENGARRY, M'Connell, Moffatt, Scott, and Sherwood of BROCKVILLE.--(9.)

NAYS.

Baldwin, Berthelot, Bertrand, Bouthillier, Cauchon, Cayley, Chauveau, Cummings, Desaulniers, DeWitt, Attorney General Draper, Duggan, Ermatinger, Foster, Hall, Jobin, LaFontaine, Laurin, Leslie, Macdonald of CORNWALL, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Monro, Papineau, Petrie, Price, Robinson, Rousseau, Solicitor General Sherwood, Attorney General Smith, Smith of WENTWORTH, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, and Viger.--(36.)

So it passed in the negative.

The question being then put on the said Fourteenth Item, it was agreed to by the House.

The Fifteenth to the Seventeenth and last of the said Items, inclusive, being again read, and the question being separately put upon each, they were agreed to by the House.

The Third of the said Resolutions being again read;

The Honourable Mr. Baldwin moved, in amendment thereto, seconded by the Honourable Mr. LaFontaine, that the words "now at the disposal of the Crown in this Province," where they first occur in the said Resolution, be struck out, and the following inserted in lieu thereof, "now or at any time heretofore claimed to be at the disposal of the Crown in this Province," and that the same words, where they again occur, be also struck out.

The question having been put on the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bertrand, Bouthillier, Cauchon, Chauveau, Christie, Desaulniers, DeWitt, Hall, Jobin, LaFontaine, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Rousseau, and Smith of WENTWORTH.--(21.)

NAYS.

Cayley, Cummings, Daly, DeBleury, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Moffatt, Monro, Papineau, Petrie, Robinson, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, and Williams.--(27.))

So it passed in the negative.

The question being then put on the said Third Resolution, it was agreed to by the House.

The Fourth and last of the said Resolutions being again read, and the question being put thereon, it was agreed to by the House, and

Resolved, That this House doth concur with the Committee in the said Resolutions.

Civil List
Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill for the granting a Civil List to Her Majesty.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Municipal
Council
Laws Bill.

The Order of the Day for the second reading of the Bill to repeal the Acts therein mentioned, and to amend the Law for the establishment of Local and Municipal Authorities in Lower Canada, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House to-morrow.

Montreal
Court
House Bill.

The Order of the Day for the House in Committee on the Bill to provide for the re-building of the Court House in the City of Montreal, being read;

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Robinson took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honourable Mr. Robinson reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Common
School Bill,
(L. C.)

The Order of the Day for the House in Committee on the Bill to repeal certain enactments therein mentioned, and to make better provision for Elementary instruction in Lower Canada, being read;

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The House accordingly resolved itself into the said Committee.

Mr. Jessup took the Chair of the Committee,¹⁰

((La chambre en fut rendue à la clause relative à)) la propriété taxable.¹¹

MM. LAFONTAINE, CHAUVEAU, LANTIER, CAUCHON, etc., etc., ((prirent part dans la discussion.))¹²

DR. BOUTHILLIER proposa un amendement tendant à exempter de la taxe les institutions de charité et hopitaux incorporés par acte du parlement.¹³

MR. COM. CR. LANDS PAPINEAU parut d'abord y consentir¹⁴.

M. SMITH ((a fait un signe.))¹⁵

MR. COM. CR. LANDS PAPINEAU changea subitement d'opinion et opposa à l'amendement.¹⁶

MR. PRES. EX. COUN. VIGER se prononça aussi contre l'amendement¹⁷.

DR. BOUTHILLIER persista cependant à demander une division de la chambre afin que le pays sut, disait-il, quelle protection nos institutions religieuses avaient à attendre du ministère actuel.¹⁸

MR. PRES. EX. COUN. VIGER parut très-sensible à cette réflexion et finit par dire, entre autres choses, qu'en Europe les institutions de charité étaient

réellement souvent très riches; il reprocha ensuite au moteur de l'amendement de vouloir, sur un cas particulier, bâser une loi générale.¹⁹

Sur cette observation de M. Viger, DR. BOUTHILLIER proposa de donner à son amendement un effet special en faveur de l'Hôtel-Dieu de St. Hyacinthe.²⁰

MM. PRES. EX. COUN. VIGER et COM. CR. LANDS PAPINEAU s'y opposèrent, ((et)) voterent ((contre l'amendement.))²¹

La motion fut négativée.²²

La chambre en fut rendue à la clause relative aux écoles des dissidents.²³

M. COM. CR. LANDS PAPINEAU avoua franchement qu'il n'approuvait pas beaucoup cette clause et donna ses raisons²⁴.

M. LANTIER ne parut pas goûter ((ces raisons.))²⁵

Alors s'éleva entre MM. LANTIER et COM. CR. LANDS PAPINEAU une discussion²⁶.

M. COM. CR. LANDS PAPINEAU battait lui-même son bill en brèche²⁷.

M. LANTIER, ... donna de fortes raisons en faveur de la nécessité de cette clause, dans son comté au moins.²⁸ ((He)) proposed an amendment to the effect of giving the trustees of these schools the same powers as the school commissioners, over the school house they possess, and of taxing those who wish to have the dissentient school established. He considered that unless this is done, the dissentients will always consider that they are not treated fairly - that they do not receive their fair share of the public and local taxes. He wished to protect these schools and place them all upon an equal footing. It is true that some arguments may be advanced against the plan he proposed, but as we have allowed the minority in every municipality to have distinct schools from the majority, it is better to make them free and uncontrolled by the majority.²⁹

MR. AT. GEN. SMITH did not see how this amendment could be carried out. One of the principles of this bill is, that whenever the Government have advanced any funds to aid in building any school house, that school house should become the property of the school commissioners.³⁰

MR. SOL. GEN. SHERWOOD, - The principle advocated by the hon. member for Vaudreuil was sought for by the Church of England in Upper Canada, but their petitions were rejected by this House, and improperly rejected in his opinion. Both in Upper and Lower Canada, the Roman Catholics have the privilege of having separate or dissentient schools, but when the Church of England asked the same privilege it was denied them. He considered that all denominations of Christians ought to have been allowed to have separate schools if they pleased.³¹

MR. BALDWIN. - It is perfectly clear that if you allow all denominations to have separate schools you would destroy the whole common school system for while the wealthy bodies would have good schools the poorer ones would have none, and would have either to give their children no education or send them to the school of the richer denomination. And this is what the hon. member for Toronto, not the Solicitor General, but the Lord Mayor of Toronto said on a previous occasion, when this subject was discussed,

when this argument was employed, "cannot they send their children to our schools." It is sufficient to make a difference between Roman Catholics and Protestants, and he wished there was no distinction even between them; but among Protestants, who are split among so many sects, it would be folly to allow them to have separate schools.³²

MR. BOULTON. - When the hon. member for the North Riding of York gets a crotchet into his head, it is hard to drive it out of him. He (Mr. B.) had said that it would be no hardship if children of other denominations had to come to the Church of England schools.³³

MR. MOFFATT considered that when a school House has been erected principally, at the expense of those who are in possession of it, it ought not to be taken away from them, and the minority of a municipality might be the majority of a certain school District, in that case he considered they should be allowed to retain the school House.³⁴

MR. AT. GEN. SMITH thought that dissentient schools ought not to be encouraged, for they would divide the school fund too much. The principle of a common School bill is, that a number of children should be united together to receive instruction in the common branches of education, and so sufficient funds might be collected to pay a proper teacher, but if the people split up, and leave schools for this and that denomination, the funds would not be sufficient to pay a suitable teacher for each.³⁵

MR. LANTIER was surprised at the remarks of the Attorney General, for, according to this bill, if the school commissioners chose to oppress the dissentients, the latter cannot extricate themselves.³⁶

The amendment was lost, yeas 11, nays 22.³⁷

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Jessup reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Message from
Legislative
Council.

*A Message from the Legislative Council, by John
Fennings Taylor, Esquire, one of the Masters in
Chancery:--*

Magistrates
Appointment
Bill.

MR. SPEAKER,

The Legislative Council have passed a Bill, intituled, "An Act to provide for the appointment of Magistrates for the more remote parts of this Province," to which they desire the concurrence of the Assembly.

Also,

The Legislative Council have passed the following Bills without any amendment:--

Districts and

"An Act to amend the Act for defining the limits of

CountiesLimits Bill,
(U. C.)Counties and Districts in Upper Canada."Notarial Titles
Bill, (L. C.)

titles, and interests of all persons concerned therein."

Bathurst
School Monies
Bill."An Act to enable the District of Bathurst to receive the School Monies apportioned to it in the year one thousand eight hundred and forty-five, notwithstanding the failure of the District Council to levy an equal

sum."

Quebec and
Montreal
Police Bill."An Act to amend the Act amending certain provisions of the Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal."Desjardins
Canal Bill."An Act to authorize the Desjardins Canal Company to borrow a sum of money to complete the Desjardins Canal."

Also,

The Legislative Council have passed the following Bills, with amendments, to which they desire the concurrence of the Assembly:--

Great Western
Railroad Bill."An Act to incorporate a Company to extend the Great Western Railroad from Hamilton to Toronto."Winter Roads.
Bill, (L. C.)"An Act to repeal two certain Ordinances therein mentioned, relating to winter roads in that part of the Province, heretofore Lower Canada, in so far as regards the District of Quebec, the District of Gaspé, and that part of the District of Three Rivers which is or was in the Municipal District of Portneuf."Presbyterian
Marriages,
&c. Bill."An Act to enable the Ministers of the Associate Presbyterian Synod of North America, to keep Registers of Baptisms, Marriages, and Burials, performed by them, and for other purposes."

And then he withdrew.

Magistrates
Appointment
Bill.

An Engrossed Bill from the Legislative Council, intituled, "An Act to provide for the appointment of Magistrates for the more remote parts of this Province," was read for the first time.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Daly,Ordered, That the said Bill be read a second time to-morrow.Returns to
Addresses.The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,Quebec Trinity

Return to an Address of the Legislative Assembly, to

House.

His Excellency the Governor General; praying His Excellency to lay before the House, "Copies of all Correspondence between the Executive Government of the Province, and the Quebec Trinity House, and the Corporation of the City of Quebec, concerning the Beaches of the River St. Charles, and of the Orders and Resolutions of the Council on that subject."

(For the said Return, see Appendix J.J.)

Also,

Dr. Rees.

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, dated the 14th instant; praying that His Excellency would be pleased to lay before them, "Copies of all Correspondence between the Commissioners of the Toronto Lunatic Asylum, and the Executive Government, respecting the claim of Dr. Rees, for further remuneration for his services."

(For the said Return, see Appendix K.K.K.)

Also,

Clerk of the
Crowns Office.

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, dated the 30th ultimo; praying that His Excellency would be pleased to cause to be laid before them, "A Statement of all Fees and Emoluments of what kind soever, received for the year 1845, by the Clerk of the Crown, in that part of this Province, formerly called Upper Canada, together with a statement of the number of Clerks employed in his office, during the said year, with their respective salaries."

Statement of all Fees and Emoluments of what kind and nature soever, received by the Clerk of the Crown and Pleas, (Canada West) for the year 1845, together with the number of Clerks employed in the Crown Office during the year, with their respective Salaries:--

Amount received from the principal Office, <u>Toronto</u> , in Civil Suits . . .	1493	0	2
Amount received from Government, in Criminal and Revenue Cases . . .	147	11	10
Amount received from Deputies . . .	507	7	0
	<hr/>		
	£2147	19	0

Salary 1st Clerk, £300	0	0	
do 2nd Clerk... 200	0	0	
do 3rd Clerk... 120	0	0	
do 4th Clerk... 100	0	0	
do 5th Clerk... 90	0	0	
do 6th Clerk... 50	0	0	
	<hr/>		
	860	0	0
Printing, Postage, and Stationery ...	35	0	0
	<hr/>		
	£895	0	0

Less six months' Salary of			
1st Clerk, from July to			
31st December.....	150	0	0
	<hr/>		
		745	0 0
	<hr/>		
		£1402	19 0

The first Clerk's Salary was discontinued after the end of June, his services being required merely to attend to the Court during the four Terms-- Hilary, Eastern, Trinity, and Michaelmas, for which services the Clerk of the Crown relinquishes to him the Fees appertaining to those Terms, averaging

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about £120 per annum.

The Clerk of the Practice Court, appointed by the Clerk of the Crown, is not noticed in this Return. He receives the whole of the Fees in that Court for his services, varying from £100 to £150 per annum.

CHARLES C. SMALL,

Clerk of the Crown and Pleas.

Toronto, 12th May, 1846.

And also,

Common
Schools,
(U. C.)

Annual Report of the Assistant Superintendent of Education, upon the state of Common Schools in Canada West, for the year 1844, in terms of the 67th Section of the Act 6 Vic. ch. 29.

(For the said Report, see Appendix P.)

The Honourable Mr. Papineau, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General, Abstract from the Report of the Commissioners of Crown Lands, of his journey to the Saguenay, dated 27th September, 1845.

(For the said Abstract of Report, see Appendix A.)

Orders of
the Day.

The Honourable Mr. Viger moved, seconded by the Honourable Mr. Attorney General Draper, that the remaining Orders of the Day be postponed until to-morrow.

The question having been put upon the said motion, a division ensued.

Yeas 11.

Nays 11.

And the votes being equally divided, Mr. Speaker gave his casting vote in the negative.

Quebec Trinity
House Bill.

The Order of the Day for the second reading of the Bill to authorize the Quebec Trinity House, to license as Pilots, a certain class of persons therein mentioned,

being read;

Quorum.

Several Members having retired, the names of those present were taken down as followeth:--

MR. SPEAKER.

Baldwin, Bertrand, Bouthillier, Cauchon, Chauveau, Daly, Attorney General
Draper, Lantier, Laterrière, Laurin, Leslie, Monro, Papineau, Prior, Rousseau,
Taché, and Viger.

And at midnight, Mr. Speaker adjourned the House for want of a Quorum.

APPENDIX, 18 MAY 1846.

((NOTICE OF MOTION RE: UPPER CANADA GRAMMAR SCHOOL.))

MR. GOWAN ... ((gave)) notice of certain resolutions to be moved by him in the House on Wednesday, for the purpose of applying to the foundation of Grammar Schools in Upper Canada, the funds set apart for public education, and now propose((d)) to be devoted to a university of Toronto.³⁸

((QUESTION AND ANSWER RE: EMIGRANT AGENTS.))³⁹

MR. BALDWIN ((asked a question about emigrant agents)).⁴⁰

MR. AT. GEN. DRAPER said that the Emigrant Agent at Quebec was appointed by Imperial authority (sic), but that all the subordinate Agents were appointed by the Provincial Government; and that the salaries for these officers were derived from three sources - a sum from the Imperial Government,⁴¹ a part of the emigrant tax received in the shape of fees⁴², and an allowance from the Provincial chest. The hon. member further stated the Agent at Quebec had no authority paramount to that of the Provincial Government, and that the Government held itself responsible for the conduct of all the Agents.⁴³

((QUESTION AND ANSWER RE: IMPROVEMENT OF TORONTO HARBOUR.))⁴⁴

MR. BOULTON, asked the Ministry whether it was their intention to grant any money this Session for the improvement of Toronto Harbour.⁴⁵

MR. AT. GEN. DRAPER stated that the Government was not prepared to ask for a grant of money during the present session for the purpose of keeping Toronto Harbour clear of the sand which is said to be filling it up, but it had the subject under⁴⁶ earnest⁴⁷ consideration in order to see what is necessary to be done to prevent that evil from proceeding.⁴⁸

((QUESTION AND ANSWER RE: REPORT OF REV. A. MACNAB.))⁴⁹

MR. PRICE, enquired of the Ministry whether the report of the Rev. A. MacNab late acting Deputy Superintendent of education for Upper Canada, had been received.⁵⁰

MR. AT. GEN. DRAPER stated that he would answer the question in the afternoon.⁵¹

((WITHDRAWN MOTION RE: BILL TO AMEND PUBLIC LANDS.))⁵²

The bill to amend the public lands act was read a second time, and it was moved that it be referred to a Committee of the whole.⁵³

MR. BALDWIN, there was one subject that was not mentioned in the bill, it was where property had escheated to the Crown in default of heirs, but was only escheated to be regranted to illegitimate children, if there were any; he doubted if that could be done under this bill.⁵⁴

MR. AT. GEN. DRAPER, said that there was another class of cases, they

were those in which a surrender had been made of certain lands in favour of the Crown, for certain other lands; he had found some difficulty in this matter but had finally determined to advise their being taken as payment.⁵⁵

MR. ROBINSON, hoped that they would not proceed with this bill till the report of the Committee on the report of the commissioners on the Crown Lands department had been made. The report recommended the removing of the land granting department to some place in Upper Canada. If they were determined to proceed with the bill he hoped that they would refer it to that Committee.⁵⁶

DR. LATERRIERE spoke in French.... As the bill was not printed in French it ought not to be proceeded with.⁵⁷

MR. G. MACDONELL of Dundas, hoped that no member would throw any opposition in the way of this bill passing, he was willing to let it pass with all its defects when it was known that the boon which the hon. member for Stormont has so long contended for is now about to be granted and the Upper Canada Loyalists, and the Militia are about to receive their long withheld but just rights, that they are about to be placed in that position in which they long ago, ought to have been placed.⁵⁸

MR. J. S. MACDONALD, of Glengary (sic), made a few remarks somewhat to the same effect as those of the preceding speaker; he then said that the Upper Canada Loyalists and Militia had been done out of their just rights, they had been compelled to perform a settlement duty which it was almost impossible to perform, owing to the distance of the lands that were granted to them; and the cost of performing the settlement duty became more than the value of the lands. The lands thus came into the hands of speculators who got the lots for £5, £6, £7, and £8, and managed to get their patents from the Executive Government. He could not account for it, but it was a fact that whenever a person got into office, he forgot almost all his former opinions, but those that it suited him to retain. This was the case even with the hon. member for the Fourth Riding.⁵⁹

MR. BOULTON hoped and trusted that the suggestion of the hon. member for Simcoe would be attended to; he thought that the bill ought to be referred to the committee on the report of commissioners of the Crown Land Department. He thought that the land granting office ought to be stationed in Toronto. In Toronto alone there is now paid over £1000 to the branch office there; this of itself would go a great way towards the payment of the expense of the office.⁶⁰

MR. BALDWIN, the land granting department is a part of the Executive, and there would, therefore, require to be a constant correspondence between the office at Toronto and the Executive at Montreal. It would make it confusion "worse confounded" than it is now. It would be creating an imperium in imperio, which must either carry on a constant correspondence with Montreal, or be independent. He believed that the only remedy was to improve the local agencies.⁶¹

MR. HALL, the same objection applies to the local agencies. It appears that the Executive are a part of the land granting department; you write to the department and receive no answer, you write again and you are assured

that it has been referred to the Executive, and God knows how long it stays there. This bill is a regular patching up of the old one, there are only one or two more clauses. He said that the people were dissatisfied. In the United States, 4000 miles from Washington, you can get out your title without reference to the capital, and even when you go there you are not put off as you are here.⁶²

MESSRS. CAUCHON and PRES. EX. COUN. VIGER spoke in French.⁶³

The motion was then withdrawn.⁶⁴

FOOTNOTES - 18 MAY 1846.

1. The following was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts.
2. MIRROR, 18 May 1846.
3. The debate on this matter was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts.
4. MIRROR, 18 May 1846.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. The debate on this matter was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts; and LA MINERVE, 25 May 1846. The MONTREAL TRANSCRIPT, 21 May 1846, merely noted it.
11. LA MINERVE, 25 May 1846.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. MIRROR, 18 May 1846.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. MONTREAL GAZETTE, 19 May 1846.
39. The following was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 21 May 1846.
40. MIRROR, 18 May 1846.
41. IBID.
42. MONTREAL TRANSCRIPT, 21 May 1846.

43. MIRROR, 18 May 1846.
44. The debate on this matter was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 21 May 1846.
45. MIRROR, 18 May 1846.
46. MONTREAL TRANSCRIPT, 21 May 1846.
47. MIRROR, 18 May 1846.
48. MONTREAL TRANSCRIPT, 21 May 1846.
49. The debate on this matter was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts.
50. MIRROR, 18 May 1846.
51. IBID., which added: "We believe that he stated in the afternoon that it would be laid on the table to-morrow."
52. The debate on this motion was reported by: MIRROR, 18 May 1846, and PILOT, 21 May 1846, in identical accounts.
53. MIRROR, 18 May 1846.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.

TUESDAY, 19 MAY 1846.

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table:--

By Mr. Price,--The Petition of John Sheffer and others,
of the Township of Pickering, in the Home District; and the Petition of William Henry Michell and others, of the Township of Pickering, in the Home Dis-
trict.

By Mr. Dickson,--The Petition of Major John Richardson, late Superinten-
dent of Police on the Welland Canal.

By Mr. Drummond,--The Petition of Louis Edouard Pacaud, Esquire, Commis-
sioner of Bankrupts, for the District of Three Rivers.

By the Honourable Mr. Baldwin,--The Petition of Robert Fleming Gourlay,
(relating to an Address to His Excellency.)

Petitions of
L. M. Cressé,
referred.

Ordered, That the Petition of Luc Michel Cressé, Esquire,
and others, of the Parish of St. Jean Baptiste de
Nicolet, presented to the House on the twenty-fourth
of March last; and the Petition of L. M. Cressé,
Esquire, and others, the Municipal Council of the Parish of St. Jean Bap-
tiste de Nicolet, presented to the House on the eleventh instant, be referred
to the Committee of the whole House, on the Bill to repeal the Acts therein
mentioned, and to amend the Law for the establishment of Local and Municipal
Authorities in Lower Canada.

Parliamentary
Records, &c.

Mr. Christie, from the Select Committee appointed
to enquire into and report upon the state and condition
of the Rolls, Records, Journals, and other Papers in
manuscript and print, appertaining to the late Parliaments of Upper and
Lower Canada respectively; and to the Parliament of this Province, and the
precautions taken for their safe keeping and preservation; also, the state
and condition of the Judicial Registers, Records, Archives, and Papers ap-
pertaining to the several Courts of Justice in Lower Canada, and in charge
of the respective Clerks or Prothonotaries thereof, Clerks of the Crown,
Clerks of the Peace, Sheriffs, and other Officers or Functionaries of the
Judicature therein, and whether the same are kept and classed in an orderly
and systematic manner, by the proper Officers, and due precautions taken for
their safe keeping and future preservation, and if any and what measures
ought to be adopted for that purpose; presented to the House the Report of
the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix K.K.)

Ordered, That the said Report be committed to a Committee of the whole House
to-morrow.

MR. SOL. GEN. SHERWOOD¹ ... ((in moving)) for an address to the Queen, on
the subject of the Clergy Reserves, ... hoped that this subject would be ap-
proached free from² ((and)) uninfluenced by any sectarian or political feel-
ing whatever. If its consideration be entered upon in this spirit, he felt
very little apprehension as to the result of the motion he was about to make,

for it involved nothing more nor less than a simple act of common justice. Before entering into the merits of the question, ((for)) he said,³ it was a subject which had long agitated this colony⁴, he begged to call the attention of the House to a few leading features in the history of the Clergy Reserves question, in order to show the position in which the Church of England, in this Colony, stands in reference to it, and the reasonable grounds she has for expecting the powerful aid of the Legislature to assist her in securing and appropriating to its legitimate object the small endowment which has, by the recent British Statute, been assigned to her out of these Reserves. It is well known to honourable members that⁵ almost coeval with our existence, lands were granted for the support of a Protestant Clergy in this Province⁶, by the Constitutional Act 31 Geo. 3, the Act which conferred a Representative form of Government upon the Province of Upper and Lower Canada, ((and set apart)) a certain portion of the public lands in each Province ... for the maintenance and support of a Protestant Clergy. Under the provisions of this Act, he said, the Church of England claimed⁷, whether right or wrong, he would not take upon himself to say, as that question had been already settled, and it was useless to revive it⁸, that her Clergy alone were intended under the denomination Protestant Clergy, and therefore she was entitled to all the Reserves set apart under that Act. And whoever has taken the trouble, or will take the trouble, to read the history of the proceedings in the British House of Commons, when the 31 of Geo. the 3rd was passed, cannot fail to discover that she had strong reasons to insist upon such an interpretation of the Act. Whether it was the intention of the Legislature to provide for that Church alone, it was not necessary now, he said, for him to discuss; but that the language used by the framer of that Act, in the course of the debate, would warrant such a conclusion no one could deny. For many years after the Act was passed, the construction put upon it by the Church of England was acquiesced in, or rather nothing appears to show that it was questioned, till a comparatively recent period, when the Church of Scotland laid claim to a participation in those lands, as being one of the Established Churches of the Empire, and as having equal claims with the Church of England, in a Colony acquired after the Union between England and Scotland. Coeval with that demand, he said, agitation commenced, and an extent of excitement and discontent followed, which ultimately led to consequences which all good men had reason to deplore. This state of things existed for some years, and it was succeeded by one even worse - for then, instead of the struggle being between the two Established Churches, all denominations of Protestant Christians entered the list, as competitors for a share in the prize - claiming equal privileges with the other two Churches, or that the endowment should be diverted from religion altogether, and devoted to education, or to the public improvements of the Province. - Successive attempts were fruitlessly made in successive Parliaments in Upper Canada for many years to bring the question to a settlement, and it was not till the arrival of Mr. Thompson to assume the Government in Upper Canada in 1840, that the Legislature could agree upon any distinct proposition. In the Session of that year, he said, he had the honour of holding a seat in the Assembly of Upper Canada and to allay discontent - to remove such a fearful subject of discord, he lent his feeble endeavours to aid the Government in carrying through the Assembly a Bill which had that object in view⁹, and he believed that he had acted wisely, for it brought about peace and contentment, which we were all highly delighted to find.¹⁰ The attempt made on this occasion was successful¹¹, ((and)) the

matter was settled as it at present remains. By this measure the Church of England did not get that portion which she believed was her just & inalienable (sic) rights, yet she also acquiesced.¹² Both branches of the Legislature concurred in an enactment setting forth the terms upon which they would consent to a settlement of that long vexed question.¹³ The object of the measure was to express to the Imperial Government, the views of the Provincial Parliament, and thus bring about a settlement of the question.¹⁴ Of course any Act passed by the Colonial Legislature could not alter the provisions of the Imperial Statute, but its object was to embody in some form a plan for a final settlement. The Bill passed by the Legislative Council and Assembly was transmitted by Mr. Thompson to the Imperial Government, and based upon its provisions, a Bill was introduced into Parliament in 1841, which finally became a law.¹⁵ The Imperial Parliament acquiesced in the suggestions, and the question was thus settled.¹⁶

MR. MORIN,¹⁷ who was obliged to leave the chair in consequence of a bleeding, from the nose returned to the House¹⁸.

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Sir A. N. Mac-
Nab resumes
the Chair of
the House.

The Honourable Augustin Norbert Morin rose and acquainted the House, that the Honourable Sir Allan Napier MacNab, the Speaker, being now present in the House, he vacated his seat as Speaker, and returned his humble thanks to the House for the manner he had been supported by the House while presiding over its deliberations.

((He)) begged to assure hon. members that if at any time he erred it was not intentionally.¹⁹

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The Honourable Mr. Morin then left the Chair.

The Honourable Sir Allan Napier MacNab resumed the Chair of the House, as Speaker, and addressed the House as followeth:--

"In resuming the Chair, I beg to be permitted to express my grateful acknowledgments to this Honourable House, for the kind indulgence they have accorded to me, in granting me leave of absence for a season, to return to my home.

"To the Honourable and learned Member, who so kindly consented to accept the Chair during my absence, my thanks are also especially due. His liberal and generous conduct on this occasion have been such, that any expression of gratitude, on my part, must fall very short of the extent of my feelings. He will, however, permit me to say, that I shall ever retain a grateful recollection of his kindness, and that it will at all times afford me the highest gratification to acknowledge the same."

MR. AT. GEN. DRAPER moved that a vote of thanks be given to Mr. Morin for his services during the time he had presided over the House, and that the said vote be entered upon the Journals.²⁰

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On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Baldwin,

Resolved, Nemine contradicente, that the thanks of this House be granted to the Honourable and learned Member, who so ably supplied the Chair as

Speaker, and that the same be entered in the Journals of this House.

Message from
Legislative
Council.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER.

Registration
Bill, (L.C.)

The Legislative Council have passed a Bill intituled, "An Act to provide for the safe Keeping of Books, Records and Papers, and the prompt Registration of Deeds and Memorials in the Registry Offices of Lower Canada," to which they desire the concurrence of the Assembly.

And also,

The Legislative Council have passed the following Bills without any amendment.

Niagara
Suspension
Bridge Bill.

"An Act for erecting a Suspension Bridge over the Niagara River, at or near the Falls of Niagara."

Montreal
Sisters of
Charity Bill.

"An Act to authorize the Community of the Sisters of Charity, of the General Hospital, Montreal, (Grey Nuns,) to sell or alienate their property situated at Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof, in other Real and Immoveable Property."

Barton Con-
cession Bill.

"An Act to convey a part of the Concession Line between the third and fourth Concessions of the Township of Barton, in the Gore District, to Robert Jarvis

Hamilton."

Huron Terri-
tory Bill.

"An Act to attach certain Territory therein described, to the District of Huron, for certain purposes."

Quebec Gas
and Water Act
Repeal Bill.

"An Act to repeal the Act incorporating the Quebec Gas Light and Water Company."

And then he withdrew.

Registration
Bill, (L. C.)

An Engrossed Bill from the Legislative Council, intituled, "An Act to provide for the safe Keeping of Books, Records, and Papers, and the prompt Registration of Deeds and Memorials in the Registry Offices of Lower Canada," was read for the first time.

MR. SOL. GEN. SHERWOOD²¹ then resumed: he had already stated that the act of the local Legislature was passed in 1841, and thought it could not alter the imperial act, yet it expressed the opinion of the country, to the Imperial Parliament and settled it, as it is at present.²² By the provisions of this Act of the British Parliament, one-half of the Clergy Reserves was to be divided between the Churches of England and Scotland, in the proportion of two-thirds to the former and one-third to the latter. The other half was placed at the disposal of the Colonial Legislature, for

religious and moral instruction. The members of the Church of England, he said, devoted subjects of the Crown as they had always proved themselves, submitted to Imperial Legislation, without even a murmur, though they had contended, and as they thought, justly too, that the Church was entitled to the whole appropriation.²³ No sooner had this become law, than the exorbitant charges for expenses, were such that they gave alarm²⁴. It was ascertained, by an order of Lord Sydenham, formerly Mr. Thompson, but who at this time had been elevated to the British Peerage, that ... ((40?)) per cent of the expenses of management of the Crown Land Department, (and, as every honorable member knows, these expenses are by no means trifling) was directed to be paid out of the proceeds of the sales of the Clergy Reserves; it was also ascertained that a multitude of agents had been appointed throughout the length and breadth of the land, at an enormous expense, to value and dispose of these Reserves. These agents, in many instances it was said, speculated in this property through third persons,²⁵ they valued them lower than they were worth and then purchased them,²⁶ at ... ((that)) value ... when all these circumstances came to the knowledge of those whose duty it is to watch over the spiritual as well as the temporal interests of the Church, they had but one course to pursue, and that was to take immediate steps to prevent a continuance of such downright extravagance, and to devise some plan by which a more economical management of the property would be observed. They viewed the course pursued in reference to those Lands with alarm, inasmuch as it was evident, unless immediately checked, the noble and munificent intentions of the Imperial Government, in appropriating these lands to the support of Religion, would be completely frustrated, and instead of their having reserves for the maintenance and support of religion, they would in fact become reserves to satisfy the demands of greedy speculators and to maintain and support a regiment of needy agents²⁷. Was it not reasonable then ... that the Church of England should rouse itself, & endeavour to prevent the property being perverted to purposes for which it was never intended. He would ask if it were not but just that they should wish their portion placed in their own hands so that it might be managed more economically.²⁸ The course adopted, then, at once was to petition this House to adopt an address to Her Majesty praying her to recommend to Parliament such an alteration in the Imperial Act as would enable the Church, through its Incorporated Society, to manage and control her proportion of the property; and they also prayed that the same privilege should be extended to other denominations entitled to any share in the proceeds of these lands. A petition of this nature was brought in by him, he said, from the Church Society of the Diocese of Toronto, at the last session, and it was supported by petitions from upwards of 10,000 Churchmen in Canada. These petitions were referred to a Select Committee, of which he was Chairman, and a report was made favourable to the prayer of the petitioners, for the reasons set forth therein. - It is true, he said, there were petitions²⁹ very numerous signed³⁰ from other denominations of Christians, praying that the Church of England might not have the management of its own property, but the object and aim of those petitioners it was by no means difficult to penetrate, and it was also evident that their objections were based upon a statement of facts which did not exist. - These petitions were also referred to another

Select Committee, who, of course, made a report unfavourable to the views entertained by the members of the Church of England.³¹ No action was however taken on the subject, and it laid over to the present session.³² And here, the Solicitor General said, he would observe that the course adopted by those who had charge of those petitions was unparliamentary and unheard of in the annals of³³ British Legislation or indeed of any other Legislature.³⁴ He said he was surprised at his honorable and learned friend from the North Riding of York, who was such a stickler for parliamentary usage - he little thought he would have sanctioned such a deviation from principle. Can there be a precedent produced, he asked, where petitions on the same subject were referred at the same time to separate Committees?³⁵ He was not aware of the fact till after it had been done,³⁶ but so it was, and so it has been again this Session, and when he found that the irregularity had again occurred this Session he (the Solicitor General) moved to rescind the order appointing the two Committees and to refer the whole subject matter to one to be named by the House; but, he said, he was over-ruled by a majority without any reasons being assigned. It was perhaps, intended to be an indication of their opinion upon the main question, but it was much to be regretted that so dangerous a precedent had been established under any circumstances whatever. Since, however, he said two reports had been made, one favourably and the other unfavourably, to the prayer of the Petitions of the Church Societies, he did not, as far as he was concerned regret it³⁷. He conceived that it would have been far better to have had the opinion of one Committee chosen by the House than the reports of two one-sided Committees, but it has made him aware of the objections that were made against the prayer of the petitioners for the division of the lands³⁸; for it is to be assumed that the grounds stated in the report why the prayer of the Petitions should not be favourably entertained are the grounds of objection and the only grounds of objection. In this view of the case then, he said, he would take up the objections seriatim, and prove to the House that there was not the slightest reason for a single one of them. Before, however, proceeding with them, he said he felt it necessary to take some notice of the fourth paragraph in the report, where the Committee express regret that the Church Societies of the Dioceses of Quebec and Toronto should have adopted the course of again agitating the question. If by this the Committee mean to assert that the Church of England desire to agitate the Clergy Reserve question, he begged distinctly to state that the assertion was not founded in fact.³⁹ They did not agitate the question, if agitating it could be called for the purpose of bringing themselves in collision with any other denomination, but that they might have the lands placed in the hands of the Church Societies of Quebec and Toronto.⁴⁰ The members of the Church of England did not desire agitation of this sort, nor any other kind, nor would they be instrumental in suggesting any measure that would even have a tendency to produce it. For his part, he said, if he could conceive that the measure now before the House would have the effect of re-opening the Clergy Reserve question, he would abandon it without a moments hesitation. It is easy to assert that such will be the consequence, and it may be very convenient for the opponents of the present measure to lead honourable members to believe that such will be the case, and thereby deter them from doing an act of common justice. The proposition before the House cannot by possibility involve any such consequences.⁴¹ He denied that the Church Society had

agitated the subject, they have submitted as peaceable and loyal subjects, to the provisions of the imperial act they do not ask you to alter it, they are willing to abide by it⁴². The Church now lays no exclusive claim to these Reserves - she does not ask for that to which any one can deny she is entitled - she simply claims the management of that portion which the law has assigned to her, and she feels as every individual would feel, that she has a legal and equitable right to control her own property⁴³ - (Hear, hear, hear.)⁴⁴ to manage it, as any prudent person would desire to do, with economy; and she utterly denies that there is either reason or propriety in standing quietly by and seeing her property squandered away in the manner in which it has been under the system established by Lord Sydenham. He would now proceed, he said, to answer the objections which had been urged to the adoption of this Address.⁴⁵ He said that if the report did not present all the objections against the division then the Committee had not treated the House fairly; in meeting the objections received in the report, he would be supposed ((to)) be meeting all the objections that are to be made.⁴⁶ In the first place, it is asserted in the Report that it will be difficult, if not impracticable, to make a satisfactory division. Why there should be any greater difficulty in dividing these lands than in making portion of real estate held by individuals in joint tenures, he was at a loss to comprehend. If the House conceived that a division ought to be made, there will be very little difficulty in adopting some mode to accomplish it.⁴⁷ Now he thought that the plan proposed would be very easily and justly adopted. He proposed that all the lots should be numbered,⁴⁸ that the number of each lot be put upon a piece of paper - that these papers should be made of an equal size, and put into a box and well shaken - that then a person, to be named by the Government, should draw from the box promiscuously, until the required quantity of land be obtained. The lots so drawn to be taken as the portion to which the Church is entitled⁴⁹. The Church of England was ready to abide by that drawing.⁵⁰ Of course much will depend on chance, by adopting this method; but it would be as fair for one as for the other - and it is the very mode adopted by the House for the election of Committees to try controverted elections. He said, he merely alluded to this one of the many modes which might be adopted to make a division of these lands. The report next proceeds to state, that "according to the present law, the management and disposal of the lands are in the hands of a Government responsible for the same, and over which the Legislature can exercise an active supervision. Should the proposed distribution take place, they would be placed beyond the control of Parliament, and vested in Ecclesiastical Corporations, responsible to no one, and which would dispose of them to their own advantage, and without reference to the general good." Now, these objections, he said, were entirely met by the suggestions contained in the Address before the House. It is recommended in this address that the portion of the lands belonging to the Church of England shall be placed under the control, not of Ecclesiastical bodies, but of the Lay Committees of their respective Church Societies⁵¹ of Quebec and Toronto, of which the hon. member for the North Riding is a member and also the Chief Justice of Upper Canada,⁵² - men of character and standing in the country - to be disposed of, not as they may think proper, but⁵³ in such a way as to give general satisfaction,⁵⁴ ((and)) under such regulations and conditions, and within such

period of time, as Her Majesty, by order in Council, shall from time to time direct.⁵⁵ If this was not an active supervision he did not know what would be such.⁵⁶ Here, then, this objection had been fully met. The Government is to impose the conditions under which the lands are to be sold, and the Legislature can exercise as active a supervision over them as if they were to be sold by the Government. If the conditions and regulations from time to time imposed are not satisfactory to the Legislature, it will possess the same power to procure an alteration in the terms of sale as they have at present. But, he said, he could not but here observe that the Chairman and other members of the Committee entertained very extraordinary notions as to the principles upon which property was to be disposed of. It is gravely asserted that if the Church Society obtained the lands, it would dispose of them to its own advantage; to whose advantage, he said, he would like to ask, should the property be disposed of? He had always understood, he said, that an individual owning property had a right to dispose of it to his own advantage; but here the worthy Committee would have the express reverse of the principle to apply, viz: that this particular property should be sold not for the advantage of the owners, but for the advantage of those who don't own it. Strange doctrine, indeed! The next complaint was, that if the Church Societies obtain their portion of the lands, they will retain them on hand, and thereby retard the settlement and improvement of the Province - and instead of selling, would hold them, "would have a tendency to substitute an inferior order of tenantry for an independent body of yeomen."⁵⁷ ((This)) is all bunkum⁵⁸. The Address, he said, now before the House, asks Her Majesty to recommend to Parliament, in any legislation that may take place, to restrain the Trustees from having the lands, and⁵⁹ not ... to lease but to sell⁶⁰ and not to sell when and what time they may choose⁶¹. They are willing to sell them within a limited number of years, and what is remaining will be sold by public auction or otherwise within a year⁶², as Her Majesty in Council may direct. So that, the objections that these Societies may retain these lands, and thereby retard the settlement of the country, or that they will have them, and thereby establish an inferior order of tenantry, have been fully met by the suggestions contained in the address. The Committee next state that, "great apprehension is expressed, that the interests of those occupants of Clergy Reserves, who hold by lease or by purchase, would suffer by the proposed transfer of these lands." This apprehension need not exist and cannot exist, for it is suggested in the Address that the lands, if granted to the Trustees, shall be sold under such conditions and regulations as Her Majesty in Council may, from time to time, direct. The interests of the occupants of Reserves can be protected by the Government as well then as now. And, he said, he rather apprehended that the Church Trustees would respect existing claims and deal as leniently with present occupants as the Government would. Besides, any party having a claim under lease, or by purchase, will always be protected by a Court of Equity.⁶³ On the whole he thought that the House would have a very active control over the lands, more so than they have at present; for they cannot now interfere at all in the matter. He would be careful that the lands would be placed out of the power of any person or persons to mismanage at all. He would have them placed under the controul of persons who had no connection with administrating the spiritual affairs of the Church. Under

these circumstances he did not think that the Church of England was to be censured for the course she had taken in this matter. They have no desire to get hold of the lands and keep them on hand for a number of years, till they have become valuable, and thus prevent the country from being settled, but as he had already stated over and over again, they were willing to sell within a limited term and under such restrictions as the House may deem fit to appoint, and they did not ask this for themselves only they also asked it for other denominations if they were willing to accept it.⁶⁴ There, then, Sir, are all the objections that have been urged against the prayer of the petitioners, the members of the Church of England, that they may have the control and management of their own property; and I appeal to the candour of every hon. member, to say whether I have not shewn that they are created, or that they have not been met by the suggestions contained in the proposed Address. There is another matter, he said, to which he would here advert. When he had the honor of reporting the Address, and after reading it, his hon. and learned friend from Terrebonne seemed to express some disapprobation at that part of it which referred to the manner in which our Roman Catholic fellow subjects of Lower Canada had been treated by the Imperial Government. He said, he had inferred from what his hon. and learned friend said, that he denied that they were indebted to the generosity and confidence of the British Government for the enjoyment of their present endowments. If, he said, he understood his hon. and learned friend correctly, he begged most decidedly to differ from him in opinion.⁶⁵ The hon. member for Terrebonne ... by some expression ... gave him (Mr. S.) to understand that he objected to the language of the address now he (Mr. S.) thought that there was not in the language used any thing that would give offence to any of the religious denominations.⁶⁶

MR. LAFONTAINE, did not so much object to the language used as to the misrepresentation of facts in the address.⁶⁷

MR. SOL. GEN. SHERWOOD, if the hon. member thinks any of the facts are wrongly stated let him prove it, but in his opinion he could substantiate all the assertions made in the report.⁶⁸ It is true the endowments for their Churches and Colleges were made by the French Monarch before the conquest of Canada; and it was also true that,⁶⁹ after the cession of Canada the Crown of Great Britain guaranteed to the Church of Rome, all the lands which she had possessed under the French Monarchy, the Roman Catholic faith being the established religion of Lower Canada. It was a generous act on the part of the British Government, for altho' it is inter-national understanding that⁷⁰ the conqueror only acquires the sovereignty of the conquered country - that the rights of the dispossessed Sovereign are transferred to him ... ((that)) he ought not to seize upon property belonging to individuals, the Church Charitable Institutions or public bodies, in any case in which the preceding Sovereign would not have been able to do so -⁷¹ yet at that time it was oftener departed from than acted upon.⁷² Therefore care is usually taken to stipulate that these rights should be retained. Such, it is true, was done both at the capitulation of Quebec and Montreal, and subsequently when the country was ceded by France to the British Government. But the frank and ready manner in which it was done in the articles of capitulation, shows that they owe to the generosity and confidence of the British Govern-

ment, the security with which they enjoy these endowments.⁷³ This grant has enabled them to do a wonderful deal of good.⁷⁴ This, he said, was inserted in the Address, not with a view of being construed offensively, but merely to prove that the Church of England is not calling for any greater advantages, nor even so great, as the Roman Catholics have enjoyed, and continue to enjoy, but simply that she may not be debarred from possessing and enjoying her own property in the same manner and to the same extent, as they do. He said he was afraid he had already occupied the time and attention of the House too long, but the question was of great importance as affecting the church of which he was a member, and he felt it his duty to lay the case before the country. He had endeavoured to do so as temperately as he could. He had avoided the use of any language which might create angry discussion. He said he had established that the Church of England had asked for nothing that could interfere with the rights of others.⁷⁵ He believed that if the lands were placed in the possession of the Church Societies they would be managed in such a way as to give perfect satisfaction to the country at large. He hoped that the other denominations would be placed on the same footing, and that they may manage their own property. Indeed such is the case now, all denominations have the power of controlling their own property selling or leasing as they please. The U. S. is referred to in the report, and there it would be found that none of the evils that are anticipated had arisen. He believed that the Church of England would be denied an act of justice, if this address was not passed.⁷⁶ She asked as a measure of common justice that she may be authorized to manage and control her own property and nothing else, and that if her request was acceded to that she was willing to be compelled to sell it within a given period, and under such rules and conditions as the Government may impose for the protection of occupants and intending purchasers. He said, he believed that he had fully answered the objections which had been urged against the adoption of the Address, and that if the motion he was now about to make was negatived, it could only be on the ground of prejudice to the Church of England, which might, perhaps, answer the views of certain honourable members, and obtain for them a temporary popularity among certain classes of persons, but he would assure them that it would only be temporary, for a Legislature founded on prejudice alone, must, and will, in the end, meet the disapprobation of every intelligent man, be his religion or politics what they may.⁷⁷ In conclusion. 1stly. The lands will not be placed in the hands of lay members of the Church, those who now manage its temporal affairs. 2ndly. The Government and this House will have an active supervision over the proceeding of the Church Societies, indeed they will have more than they have now, for now this House cannot interfere with the management. And lastly it will not as has been said create an inferior and dependent body of tenantry for they are willing that the lands should be sold and not leased.⁷⁸ He said he had endeavoured (though feebly he would admit) to discharge his duty to those who had entrusted him with their petitions⁷⁹.

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Clergy
Reserves.

The Honourable Mr. Solicitor General Sherwood moved, seconded by the Honourable Mr. Robinson, that this House doth concur in the Address to Her Majesty, as reported by the Select Committee to which was referred the various Peti-

tions relative to the Clergy Reserves.

MR. GOWAN said he always heard the learned Solicitor General West with pleasure, but he much regretted that in the present instance his (the Sol. General's) fine talents should be so misapplied. He (the Sol. General) had told the House that all the objections in the report of the Committee were answered in the address. If he (Mr. Gowan) thought that, he would gladly vote for the address, but he did not think that the objections of the Committee were met, or could be met. It had been said that agitation of the Clergy Reserve question ceased in the time of Lord Sydenham; this was true; the agitation ceased because of the settlement then come to, and he would ask, do hon. gentlemen desire to disturb that settlement and thereby to revive an agitation that had swept the Upper Province like a whirl wind? (hear, hear.) If hon. members would examine the Library they would not find a journal of the Parliament of Upper Canada during the period of the agitation of the Clergy Reserves, that did not contain report after report against the pretensions of the Church of England, and they would observe that it was not alone by Reform Houses that these reports were adopted but by Reformers and Tories. (Hear, hear.) Was it wise he would ask, for friends of the Church of England to propose a course that was likely to lead them again upon such dangerous ground? The House had been reminded of the first claims of the Church of Scotland for a portion of the Clergy Reserves, the statement made in that regard was correct, and was worthy of the deepest reflection; let it never be forgotten that when the present Receiver General raised the question in favour of the Church of Scotland he had only five or six supporters, and had justice then been done it would have been wise and well; but the moderate demand of that day not having been met in the proper spirit, agitation spread and ultimately the Church of England lost three-fourths of the land which she contended was all her own; and he would again warn hon. members to take heed lest by a revived agitation the other fourth would also go. It was said that at present the produce of the lands was wasted; he believed that such was the case, but was that a reason to change the tenure; if wrong were committed by the agents of the Government he would go the whole length to remedy that, but he would never consent to give his Church or any other Church a landlord right over the lands, he would never consent to take from the Church one shilling of the value of the lands, but while he sternly and firmly maintained that, he would say sell them, place the money at interest and let the Clergy be regularly paid the interest. It had been said that the disposition of the lands might be determined upon by casting lots.⁸⁰

MR. SOL. GEN. SHERWOOD. - "I said that was suggested."⁸¹

MR. GOWAN. - It might be well to speak of so disposing of property in which other parties had not equitable rights, but was it to be supposed that the numerous parties who have equitable rights in the land in question, who have reclaimed them by years of toil, who have laboured on hoping from year to year to obtain a fixed and just tenure, was it ((to)) be believed that such people could place those rights upon the casting of a lot, (hear, hear.) The learned Solicitor General had said that it was dreaded that an improper influence on the part of the Church Society over the occupants of the lands

would be a consequence of ceding to them the controul sought for. He (Mr. G) not only feared that such an influence would be exercised over the actual occupants, but that it would extend far and near among their relations, and would operate in various ways. It was pretended that the object of the address was not that the lands should be held in perpetuity, but that they should be sold. Now he maintained that more ingenious arguments in favour of granting them to the clergy in perpetuity could not be urged than were to be found in the address. The chief grounds of the present demand as set forth in the address, are the facts that properties have been held in the U. S. by the Church of England from the time of the grant of the English King to the present time, and that similar grants by French Monarchs have been so preserved and protected to the Roman Catholic Church in Lower Canada, and that in both instances the lands have become much more valuable to the possessors than they were originally. Do not those reasons go to show plainly that the desire and design of the Church Society is to shew that the lands should be held in perpetuity until such time as they become valuable like those of New York and Lower Canada. In the close of the address it was stated that the lands might be sold at such time as the Government might deem fit. But he (Mr. Gowan) would ask was it to be supposed that if the right of disposing them were transferred to the Government that they (the Government) would soon fix a period of sale, or that they would direct them to be sold at all; the circular letter of the Church Society furnished much ground of alarm on that head; from that letter it would appear that the desire was that the lands not yet settled should be leased. (The hon. Member read the letter.)⁸²

MR. SOL. GEN. SHERWOOD and MR. BOULTON said the committee repudiated the proposition contained in the letter.⁸³

MR. GOWAN resumed, and said he was opposed to the address, because there had been no expression of public opinion in Upper Canada in favor of it; the petitions that had been presented in support of it were got up by the Church Society, and sent to the clergy, by whom a small portion only of the signatures of the members of the Church were obtained; he was opposed to it because it proposed to give the Church a control over the lands which she would never have obtained under the original tenure; because it would lead to the greatest cruelty, the greatest injustice; being perpetrated against a large portion of the people of Canada, including many worthy members of the Church; it went to destroy the hardy yeomanry of the country, and to introduce the land lord and tenant system; it would lead to a state of disquiet and excitement at all times dangerous, but more especially so at the present time, when harmony and union was so essential; he hoped if the address was not withdrawn, it would be rejected by such a majority as would mark the strong opinion of the House against it, and set the question for ever at rest. The hon. member concluded by strong expressions of attachment to the Church of England, of which he was a member and a communicant; he had never willingly committed an act to injure her, and he still loved her too well to sanction a demand on her part that he knew would set her at war not only with the people generally, but with her own members.⁸⁴

MR. DUGGAN, - The hon. member for Leeds is one to whom he generally listened with a good deal of pleasure, but in the present case he has en-

tirely failed to adduce argument against the proposition contained in the address, indeed he has only got a thread of one argument and that thread he has subdivided some 17 or 18 times. He has said that this address does not meet with the approbation of the country. He did not wish to pass the address to suit the country, but⁸⁵ because he conceived the result it was intended to attain was nothing more than a mere act of justice to the Church of England.⁸⁶ It is a question on which the public mind is and will be divided, and he would not attach any importance to what the public think of the matter. The public are satisfied that the disposition of the lands should remain as it is, now if the petitioners wanted any alteration as to the amount, they might complain, but they only want to have the power to manage their own property.⁸⁷ The object sought was not the injury of any other sect, by depriving it of its share of the property, nor the mere acquisition of the right of managing that part of it which had been awarded to them at the recent division of the Clergy Reserves. Nor was it so much from a desire to take the management out of the hands of Government that this matter was brought forward, but in order to obtain an economical management so that an end might be put to the lavish waste which had occurred under the present system.⁸⁸ He did not think it was fair to apportion them a property and then squander it away without their obtaining any benefit from it. As he had already said they do not wish to disturb the arrangement, but only to have the land placed so that it might be sold more economically and thus afford them a larger return.⁸⁹ If there were any agitation on this subject, it could arise only from the misrepresentations of the enemies of the Church.⁹⁰ The hon. gentleman has said that we ought not to treat the members of our own church (sic) as they will be treated if this address passes and that numbers of them were opposed to the division. As to the first objection, he would be sorry to do any thing that would injure any member of his own Church as to the last all he could say was that he had not spoken to one who was not in favor of it, and he had had conversations with a great number on the subject.⁹¹

MR. GOWAN, take the numbers who have signed the petition, and then look at the census.⁹²

MR. DUGGAN, the petitions, he said, are signed by persons who would not ask for any infringement on the rights of others. It is generally acknowledged that the expenses are extravagantly high, is it not time then that some steps should be taken by which a larger revenue shall be received by ((the)) Church? It is unreasonable to suppose that the Government would manage them as economically as the Church Societies, who would have a personal interest in the matter. They do not want to hold the lands in perpetuity, no, on the contrary, they wish to dispose of them, under such restrictions and regulations as the Government may direct. If there is agitation and strife throughout the length and breadth of the land, it can only be brought about by misrepresentation, for if the question was rightly understood, there could be no reasonable objection against the proposition. He wondered that the hon. member for Leeds did not blush while he said that it would be doing a foul injustice to members of our own church. The whole objections that he has against the measure appeared to him to be a phantom of his own imagination.⁹³

MR. PRICE said that of the many questions to which the public mind of Canada had been directed, there was, unhappily, none more calculated to produce angry debate than those of a religious character; and inasmuch as the present question was somewhat connected with religion, he trusted the hon. members would approach it with as much good temper and Christian forbearance as possible. - Whilst he was willing to believe hon. members who differed with him on this important subject sincere in their views, he claimed at their hands the same charity towards himself. He held, then, as he ever had, that religion was best supported by⁹⁴ the voluntary contributions of⁹⁵ her own members apart altogether from any connection⁹⁶ ((or)) assistance from the State.⁹⁷ This was one of the grounds he had always brought to bear against the demands of the clergy of Upper Canada as involved in the address before the House, and under the influence of this conviction, combined with that arising from his knowledge of the general history of the Clergy Reserves, would he record his vote against the present address. It was known to hon. members from Upper Canada that the subject of the Clergy Reserves had been long and rancorously agitated, more so, perhaps, than any other question that ever engaged the public mind in that part of the Province; but as the subject was only partially known to his hon. friends from Eastern Canada, he felt it his duty to dwell somewhat more fully on the subject than he otherwise would have done. It was, however, fully well known that these lands were originally given by Geo. III. for the support of a Protestant Clergy, and that the clergy of the Church of England contended that they were intended exclusively for their body alone, in contradistinction to the Roman Catholic clergy who were meant by the words of the Statute, and that consequently they had claimed the exclusive right to one seventh of the lands of Canada as an endowment for their Church. This arrogant assumption on their part had been the cause of all the strife and contention upon the subject, other bodies equally numerous, quite respectable and loyal as that Church, had felt themselves called upon to resist such an unjust and unwarrantable claim. Some time in the year 1823, the present Bishop of Toronto, then Rector of York, had brought before the Home Government a statement of the various bodies of Christians of the Province, and at the time presented a chart of their respective numbers, and in a letter accompanying that chart, had attempted to shew that the Church of England was the only body which made any thing like a respectable stand in the country, that whilst that Church had 39 Clergymen, and 58 places of regular or occasional worship; the teachers of the other denominations were from the United States, with the exception of 2 Ministers of the Church of Scotland, 4 Congregationalists, and a respectable English Missionary who presided over a Wesleyan Methodist Meeting at Kingston. This letter and chart becoming public, created an immense sensation in the Province, the whole religious community became agitated at the gross and palpable misrepresentations which this letter and chart exhibited, and at length in the year 1828, it was brought before a committee of the House of Assembly, and thoroughly sifted. Gentlemen of all religious persuasions from all parts of the Province were examined fully, and their united testimony gave the amplest and plainest contradiction to the palpable misrepresentations of the learned Doctor and his chart. The result of

this investigation was that whilst the Episcopalians had 31 Clergymen - the Methodists 4 had 117 (sic) - the Baptists 45 - Presbyterians 16 - Kirk of Scotland 6 - Menonists and Tunkards 20 - Wesleyan Methodists 1. Thus by this investigation was it shewn to the world that the greatest injustice had been done by the Archdeacon to all the Christian bodies of Canada except the Reverend Doctor's own Church. (Hear, hear.) and that the Clergy Reserves would continue to be as they had been a subject of the most awful contention, unless some equitable settlement of that perplexing question were quickly adopted. The Parliament of that day as well as the Parliaments of all subsequent years were fully alive to the importance of a speedy and final settlement of the question, and had by resolution after resolution decided upon giving the whole for the sole purpose of education, and of at once wresting them from the hands of the contending parties. This was the opinion of good and wise men of past days. I have Mr. Speaker, looked through the Journals of the House from that period to the final settlement of the question by Lord Sydenham in 1840, and have found those Journals to contain one uniform opinion upon the subject, that of taking them from the Clergy and devoting them to education. I will not trouble the House by a reference to the whole of those Journals, but simply to the resolutions of some Tory Parliaments upon the subject. In the Tory Parliament of 1831, I find in a resolution passed with a large majority the following words, "That it is unjust as well as impolitic to appropriate the said lands to the support of any one Church exclusively, and it is extremely difficult if not altogether impracticable to apportion or divide the same amongst the Clergy of all denominations of christians, that therefore it is deemed desirable to sell the same and apply the proceeds to education." This resolution was carried by a vote of 21 to 16, many of the majority being members of the Church of England. (Mr. Price read the Yeas and Nays, and when he mentioned Mr. Roblin's name he said he did not see him in his place.)⁹⁸

MR. ROBINSON said, "he is gone to his place."⁹⁹

That was a vote in which, had he, MR. PRICE, been in the House, he would cordially have concurred; for¹⁰⁰ he fully agreed with the principle of that resolution. Educate the children of the country, enlighten them, and they will then be able to appreciate good preaching and avoid bad. He would repeat, and was anxious that hon. members on his side of the House should bear the fact in mind, that from the year 1828 down to the time of Lord Sydenham, when the question was as it was thought, finally settled upon, each and every Parliament of Upper Canada was opposed to the exclusive demands of the Church of England; some were for appropriating the lands to general education, others for applying the proceeds of them to the improvement of the country, but all refused to the Episcopal Church her selfish, her unjust demands. - In 1838 immediately after the Rebellion the Tory Parliament of Sir F. B. Head recognised the same principle and by a vote of 25 to 16 carried the following resolution, viz. "That it is highly expedient and desirable that the long pending controversy respecting the Clergy Reserve Lands should be finally settled in such a manner that a just and equitable distribution may be made of the proceeds of the said lands, that as the discussion of the subject by this House is likely to engender unchristian feelings, the said Lands, in the opinion of this House should be

reinvested in the Crown to be sold in the same manner as other Crown Lands are, or may be, for the support and maintenance of the christian religion within the province, and that the proceeds of the Lands already sold be appropriated and disposed of in like manner. To this Resolution Mr. Rykert seconded by Mr. Bockus, two Church men, moved in amendment, that the proceeds of the Lands should be paid into the public chest for general purposes. (Hear, hear, hear.) He (Mr. Price) had always considered the Clergy Reserves as one of the greatest curses that could have been inflicted on the land; he agreed with the wish, once expressed, that it would have been a blessing to the country had they been consigned to the bottom of the Lake; he regarded them as the chief means by which the late unfortunate Rebellion was brought about, and he sincerely believed that the Church of England would be far more flourishing, more useful, and respectable, if she had never had that unhappy question with its numberless difficulties to contend with. That the settlement under Lord Sydenham had been considered final, that peace had succeeded the long and fierce conflict, and the country was settling down in the hope that agitation on that subject was at an end. Although three-fourths of the people believed that the arrangement was made in injustice and partiality, they quietly submitted, as the only means of restoring peace to the land; proportionate to that hope would be the grief and excitement produced by the re-opening of the question in the manner proposed by the Resolution now before the Chair. That of vesting the lands in the Ecclesiastical bodies, an infliction which the country could not and would not bear, a course the evil consequences of which no man could foresee, but all good men dreaded, and all would have hereafter deeply to deplore; such a course would cause fierce agitation, open up the whole question, and finally end in the wresting of the whole endowment from the Clergy altogether. He would therefore, entreat hon. members to let the question rest; leave it to the ministers of the Crown to dispose of the lands according to the law, and if extravagance have hitherto existed in the management, let it by all means be corrected so that the Clergy may have the fullest possible advantage to which they are entitled; but let not the ministers of the gospel be again thrown into the ignoble contest of mercenary strife forfeiting their highest functions in their eagerness for earthly gain; peace was wanted in the lands, - let it not be said that the clergy were the cause of that blessing being withheld; let them not be the agitators, and especially for their own mere pecuniary advantage to the injury of others; and above all put it not in the power of the sceptic and the infidel to fling in the face of the clergy of the Province that they are the prime and sole movers in the revived work of strife, contention and discord. He (Mr. Price) had endeavoured to shew - That these lands were originally intended for the clergy of all religious denominations; that the Church of England had laid claim to the whole endowment, and had pertinaciously adhered to her selfish claim; that she had, in consequence, caused all the agitation upon the subject; that the Parliaments of Upper Canada, of all complexions and parties had devoted the whole of them either to education or general improvement; that from 1828 to 1840, when they were reinvested in the Crown by the influence of Lord Sydenham, every Parliament, and four-fifths of the people, had invariably urged that mode of settlement; that the rebellion of 1837 had, in a great measure, been promoted by this fruitful source of agitation; that even Dr. Strachan had re-

commended, in his celebrated letter of 1823, the sale of a portion of them in order to remove obstacles to the settlement of the country; that the sooner these lands changed hands the better, as they were a source of much excitement amongst the people. He, therefore, implored hon'ble. members on the other side of the House not to support the resolution of the hon. member for Toronto; - to yield up a little of their sectarian spirit to the peace of the country by investing these lands in no religious body whatever, but to allow them to ... be dealt with in accordance with the provisions of the Imperial Act; and one great source of heartburning and mutual recriminations among the religious bodies will be at once, and for ever, lost in the oblivion of the past.¹⁰¹

MR. ROBINSON would not have risen now had not the hon. member opposite (Mr. Price) concluded his remarks by adopting as his own sentiments, those of a Report which prayed that no change might be made in the present system. He regretted that on a question of such¹⁰² great importance and interest to the people of Upper Canada¹⁰³, some hon. members on his side of the House capable of doing it greater justice, had not come forward to second the hon. Sol. General in his attempt to obtain justice for men to whom most of them were indebted for their seats in this House - more than 8000 members of the Church of England had prayed that more care should be taken in the management of a provision which so much interested them; - all these men who had votes, had to a man, he felt warranted in saying, given their support to the gentlemen occupying those seats (pointing to the Government benches),¹⁰⁴ and therefore deserve some consideration from them. He trusted that he would not be left alone on the present occasion but that a majority of this House would support the Address.¹⁰⁵ He regretted that the question had come forward before the report of the Commissioner on the Crown Land Department was printed and in the hands of members¹⁰⁶, as several facts are recorded in this report, which might have an influence on the minds of many ... ((of them)).¹⁰⁷ ((It)) would have shown on the authority of respectable gentlemen - one of whom had a seat in this House, (the Commissioner of Crown Lands), that the sale of the Clergy Reserves was conducted in a most wasteful and extravagant manner.¹⁰⁸ He read several extracts from this report¹⁰⁹ showing that the expense of sale had up to 1841 exceeded 10 per cent., and from 1841 to the present time 25 per cent. The Report also admitted that the persons chosen to value the Clergy Reserves were paid in Upper Canada £6000, and were, in some cases incompetent, and the lands much undervalued. The loss by defalcations of District Agents was now known to amount to between £3000 and £4000, and all from the Clergy fund, - but the full amount might not be ascertained for years to come, as receipts signed by defaulting agents were constantly coming in and adding to the amount. The Agent in Toronto (Mr. Baines) received, he was informed, 10 per cent, on all rents collected by him from occupants of Clergy Reserves last year, and received £1000 for his services, when at the time of taking the office he would have been well satisfied with £400 a year. He (Mr. R.) did not think the Clergy fund should bear the loss of this £3500 or more, as the persons entitled to the proceeds had no voice in the management of it - but that the Crown Land fund should make it good. The District Agents got $3\frac{1}{2}$ per cent. on sales, besides the 10 per cent. on rents - and the fund is also charged with 40 per

cent. of all the expenses of the whole Crown Land Department, amounting to nearly four thousand pounds a-year more. These were the facts as regarded present management¹¹⁰. He considered the members of the Church of England had a right to complain ... and to demand an alteration in the mode of management.¹¹¹ The bill to amend the Crown Land Act attempted to be introduced two nights ago, and before the Commissioner had reported on the Commissioner's Report, made no provision for a change for the better - as the system of District Agents was still intended to be kept up.

The hon. member for Leeds and the member opposite (Mr. Price) had said much of the agitation on the question of the Clergy Reserves, ever since they came to the Province, but what justice was there in the agitation? The Imperial Government had five years since settled the question by giving one half to be divided between the Churches of England and Scotland, and the remaining half to be applied by the Executive Government "for public worship and religious instruction in Canada"¹¹². He believed that nothing had been done to apportion the latter half among ... ((the other)) denominations. And he would now ask the Executive whether there had been any application from these bodies for their share of the reserves?¹¹³ To this day, he believed no ((such)) application had been made.... If so anxious on this subject, why did not the member for Leeds, and others, when at home amongst their Constituents consider how the large portion still undisposed of might be best appropriated to their benefit - but this was not the object of those who agitated the question - they had succeeded in depriving the Church of England of¹¹⁴ their just rights¹¹⁵ ((to)) the Reserves and were satisfied. That was their main object, as fully appeared by the little concern they took, in preserving and appropriating the portion still on hand. The hon. member for Leeds said much about the hardy yeomanry of the country residing on Clergy Lots with rights of purchase guaranteed to them by the Government. He Mr. R. respected the yeomanry of the country and their rights quite as much as that or (sic) any other hon. member, and if he found that in compliance with this address any measures were adopted to endanger those rights, he would be among the first to resist them. He asked no more for the Church of England than he would concede to all other churches - but he did claim the same protection for her property that others enjoyed in this and all other countries.

As to the common objection that the Clergy Reserves retarded the settlement of the country, he denied that they did so to the extent of lands owned by private individuals, which were often in large blocks - while the clergy lands were in detached lots.¹¹⁶ He was well aware that those who vote for the address will be held up, as enemies to the country, by wishing to impede its settlement, but no one would take more care than he would, that it should not have this effect.¹¹⁷ If deeds were issued to the Church of their portion of their reserves in any Township he had¹¹⁸ no objection that these lands should be taxed the same as other lands so that they should not be in the way of the improvement of the country.¹¹⁹ This would - instead of retarding - advance the settlement of the country.

Mr. R. again hoped (looking at the Treasury benches) that hon. gentlemen more capable of doing the question justice, would advocate it - for his part, he had seconded the Hon. Solicitor Generals (sic) resolution sincerely believing it was just, and hoped it would be adopted.¹²⁰

MR. BOULTON was quite prepared to see the present proposition opposed by land jobbers and agitators,¹²¹ but he found that the first had been put out of the field by the reasonableness of the propositions, so that the latter class alone sustained the battle.¹²² The former since they have seen the restrictions and conditions that are to be imposed, are quite willing that these lands should be managed by the Church Society. But the latter, such as the hon. member for the South Riding of York, of whom it was stated by a certain paper, with respect to a speech delivered by the hon. gentleman on a subject similar to the present one, "that he made a highly creditable appearance," do not wish to agree to it, for they desire to make bunkum out of it. They might, if they pleased, place the subject in such a light before the country, that the granting of the prayer of the Church of England, would give no offence to any portion of the population. He considered that none of the gentlemen who had spoken in opposition to the address, had disproved one of the statements that had been made, by those who spoke in favor of it, some of them had not said a word to the question, but had spoken about matters that had occurred long ago. After one half of the clergy reserves had been appropriated by an Imperial Statute to the Church of England, the members of this Church did not wish to see these lands squandered and devoured by expenses; therefore, 8000 of them, at least one half of those who could sign their names, had petitioned this House, that the management of these lands should be given to those denominations who were entitled to them. And in the conclusion of their petitions, they pray that provisions may be made, so that the just rights of all the occupants may be protected. If a person had property in the hands of an agent who squandered and mismanaged this property, would he not be perfectly justified in taking the management from him? So the Church is quite right in trying to get possession of these lands, considering that they can manage them more economically than the Government.¹²³ The evil ... ((the motion)) was desired to remove was the enormous charges at present made upon the fund; it was not proposed to give the lands to the clergy or to allow them to rent them, it was only desired to vest them in the lay members of the Church, in order to be disposed of in any manner the Government might direct - only, so that instead of the endowment being wasted, as it present, by the extravagance of the Crown Land Department, the funds might be properly husbanded.¹²⁴ The Government, in charging so much for the expense of managing these lands, desired to lessen the general expenses of the country. He had enquired about the number of petitions that had been presented to this House against the proposition of the Church Society, and found that from among the numerous sects who are opposed to the Church of England, only 7000 individuals have signed these petitions. They were no doubt actuated by the same motives that had influenced a member of the Government, who had a seat in another branch of the Legislature, in his successful agitation against the Church of England. This hon. gentleman had risen by this agitation, and most of the evils that arose in consequence of it, may be attributed to him.¹²⁵

Hear, hear, from MR. J. A. MACDONALD, of Kingston.¹²⁶

He, MR. BOULTON, read the conclusion of one of these petitions, and said that their fears were only imaginary; and that their proposition that these lands should be devoted to general education could not be entertained for a

moment. He did not desire that the Church Society should be allowed to keep possession of these lands for an indefinite period, but that they should be obliged to sell them all within a certain time, say ten or twenty years. They claimed a privilege that they were not willing to allow to others; the other denominations could take their lands also.¹²⁷

MR. J. A. MACDONALD, of Kingston, we did not want them.¹²⁸

MR. BOULTON, well, don't take them, do not prevent us from what we desire. He considered that¹²⁹ members of the Church of England, and members of¹³⁰ the administration ought not to be silent on this question, that they ought to throw their weight on one side or the other, and if they were opposed to his views, they ought to offer such arguments as might induce him, and those who thought with him, to change their opinions.¹³¹

MR. ERMATINGER would support the address. He had listed (sic) to the manner in which many speak of the church to which he belonged with regret and indignation. He considered that the Church of England was only asking for what they had a right to. They had, in his opinion, a right to the whole of these lands¹³². ((He)) read an extract from Hansard's report of a speech made by Mr. Pitt on the Committee on the Constitutional Act, with a design of showing that the intention of the grant in the first instance was to apply its proceeds to the Episcopal Church.¹³³ A part of these lands, however, had been taken from them, and he had no desire to see this settlement disturbed; but he wished to see these lands that had been granted for the religious education and instruction of the people properly and economically managed. His remarks were addressed to the Church of England in this House, for it does not become them to oppose any act of justice to the church to which they belong. Every means have been adopted to prejudice the rights of the church of England; the lands have been valued by persons who had no regard to the interests of this church. It has been said that no public meetings have been held by those who are favourable to the division of these lands. In his own district he hardly knew of the existence of these petitions, and if greater exertions had been made, he was confident that from among the 100,000 members of the church more signatures might have been obtained. It has not been the custom of the church to agitate the public mind on any question; they leave that to their opponents. (Hear, hear.)¹³⁴

MR. BALDWIN said it was to him a source of the deepest regret that it was found necessary to bring the question under discussion once more before Parliament; he regretted it on account of the Church whose name was associated with it, and of which he was an humble member; he regretted it on account of the Province at large, but more especially that part of it which had suffered so much from former agitation, and which, because of its more extended connection with the subject, was more susceptible of injurious excitement. The origin of the question had been fully and clearly gone into by the speakers who preceded him; and although such an exposition was not necessary for the information of members from Upper Canada, who were, unhappily, too familiar with it, it was highly necessary that the fullest details should be given, in order that the members on his (Mr. Baldwin's) side of the House who, happily for themselves and their part of the Prov-

ince, had not had the like bitter experience, might see the deep seated necessity which existed of not, from any fancied connection between the question now before the House, and that of certain properties in Lower Canada, the existence of which connection he (Mr. B) most emphatically denied, of not from that or any other cause, being induced to touch by their votes the act which disposed of the old and vexed question of the Clergy Reserves. Neither were hon. members to be in any way affected by the statement they had heard, that it was considered in England that it was for the Clergy of the Church of England alone the original grant was intended; in reference to that it should be remembered that a contrary opinion was solemnly enunciated by the 12 Judges of England. With regard to the agitation of the question of the Clergy Reserves, it had been shewn that it first originated with the Church of Scotland, her claims having been refused, the ball gathered as it rolled, until at length all the Protestant denominations advanced claims; then in consequence of the difficulties arising out of these numerous demands, parties arose, some of whom urged that the lands should be applied to education, and others contended that they should be applied to the improvement of the country; and at length when Lord Sydenham undertook the settlement of the question, it was difficult to find a majority to support any given proposition; there were the advocates of the Church of England who claimed all the lands, others who maintained the right of each denomination to its regular share, others who would apply them to public improvement, others to education, and the building of Churches, and others to education alone. (Hear, hear.) Such was the diversity of opinion in Upper Canada until at last, and in consequence of the whole weight of the Government being turned towards it, parties were induced to support the bill of Mr. Draper which although it was not sanctioned at Home, led to a final disposal of the question by the Imperial Parliament. It was known that this settlement did not please all parties in Canada, that some positively refused to recognize it; now, he (Mr. B.) called upon hon. members to mark his words that if the question be re-opened former fierce agitation will be resumed and may end in the total discomfiture of the Church; he would again warn them to that effect. So much did he (Mr. B.) dread the revival of agitation that he had in every instance, and in toto, discountenanced such a course; and he could appeal to his hon. friend beside him (Mr. Price) to say if such were not the fact. The hon. member here reverted to the former difficulties arising out of the question, and cited the opinions and statements of the various Governors to that effect, and especially these of Lord Sydenham in his letters to Lord John Russell. He, therefore, pressed upon both sides of the House to forbear reviving the question; he sincerely deprecated further agitation on either side, and had done all in his power to discourage it among those with whom he usually acted. At the same time he perfectly agreed with the hon. member for Toronto that this was not a question that ought to lie like a log upon the waters taking its course from every wind that blew, it was pre-eminently one that called for conservative action, he did not use the word "conservative" in a party but in an attributive sense, the Government ought, therefore, to assume a proper position in the matter, and at once; they should throw their weight into one scale or the other, and thereby give the question a tangible aspect. In reference to the mode of management of the lands suggested by the address it had been said that the Church Society was merely a

lay tribunal, but he (Mr. B.) contended that for all practical purposes it would be ecclesiastical; neither could he believe that it was the mere possession of the lands that was sought for, a tenantry, virtually subject to the Clergy, would follow, and here he would remark that the genius of the country was opposed to the system of tenantry; they had but to look to the recent results of that system in the neighboring States to see that it was necessary not only for the peace of this country but for the stability of property in it, to guard against the introduction of such an order of society. Again he would observe upon the danger to the Church herself of being so circumstanced towards her own members; the moment a body of people were her tenants she became an object of distrust, became obnoxious to them, was placed in a false position, and consequently her usefulness impaired if not destroyed.¹³⁵

MR. BOULTON denied that a tenantry was contemplated.¹³⁶

MR. BALDWIN. - Does the hon. member remember when the agitation was first raised, the proposition then was absolute unconditional possession, and that, too, at a time when a large portion of the land was under actual sale; it was rue (sic) that alarm was taken, and that parties discovered that they signed petitions for the unconditional investment of property actually held under contract by themselves, the Clergy then stated that they were willing to respect the rights of occupants and he (Mr. B.) would not attribute any other intention to them. In the present instance a letter from the Church Society had been read which seemed to provide for a tenantry, which said that the unreclaimed lands should not remain in waste, but should be leased; from this, and other reasons, he (Mr. B.) feared that the steady object of the Church was to acquire the lands in perpetuity. It was true the Committee spoke of the lands being disposed of whenever the Government might direct, but he would ask what control would they have over the Government whereby to cause a sale in a given time; would it not be easy for the Church Society to go before the British Parliament and say the lands cannot now be sold to any advantage, we pray for 10 years more, and then renew that application again under the same plea; difficulties might, too, arise in the way of sales which would warrant delay; but once establish the principle of delay and every one knew how easy it would be to carry it out; once invest the Government with a discretionary power of that kind and there was no security as to how far it might extend; he was therefore not to be deluded by the proposition in the address respecting the selling of the lands in a given term; if 10 years were first allowed there was a right to conclude that 10 more might be obtained; let there then be a prompt disposition of them; he had no desire that they should be sacrificed; at the same time he thought that those who settled upon the lands when they were a wilderness ought not to be pressed for a larger price; when he (Mr. B.) and his friends were in office they adopted a plan of valuation which he still thought the best, and it was remarkable that it was the very means recommended as far back as 1825 and '26 by the then authorities of the Church; they (the late Ministers) endeavoured in the appointment of appraisers to select one of each of the political parties in the country, and his (Mr. B's.) own opinion was that the valuations gave general satisfaction; he should like to know from such hon. members of (sic) those of Lenox and Addington, Hastings &c. what were the opinions in their counties.¹³⁷

MR. MURNEY. - In my county (Hastings) the lands were fairly valued.¹³⁸

MR. BALDWIN was thankful for the prompt testimony of the hon. member, and had no doubt that such would be found to be the general result of the plan of the late Government. No doubt instances of undervaluation occurred; he had heard of a lot worth forty shillings being valued at twenty shillings, such cases should be attended to and the land valued again; so with regard to heavy expenses, let them be reduced; it was a mere question between the Government and their agents, and ought not to delay justice being done to the people by an early and final settlement of the main question. He (Mr. Baldwin) feared he had occupied the House too long, and would conclude by declaring his determined opposition to the address; and in doing so believed he was best serving the interests of the Church of which he was an unworthy member.¹³⁹

MR. LAFONTAINE. - Even if he felt disposed to vote for this address, he could not vote for it in its present form. There is one paragraph which he wished to strike out, as it was not correct; he referred to that part of the address which stated that the Roman Catholics of Lower Canada, like the Episcopalians of New York, had large funds in their possession which had been given to them by the piety of British monarchs.¹⁴⁰

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The Honourable Mr. LaFontaine moved in amendment, seconded by Mr. Leslie, that the paragraph in the said Address beginning with the words "second, We beg permission," and ending with the words "grave discontent," be struck out.

MR. SOL. GEN. SHERWOOD supposed from the manner in which the hon. member for Terrebonne, had spoken that he intends to record his vote against this address. He had no objection to alter it in any way to make it more agreeable to the House; but he considered that the hon. member for Terrebonne had misconstrued the sentence he had referred to; the meaning evidently was that the British Government, when they had the power to take away the property of the Roman Catholic priesthood, secured it to them. He knew perfectly well that it was different French monarchs and private individuals that had given this property. The hon. member for the North Riding of York has appealed entirely and alone to the members from Lower Canada, for he felt that their sense of justice would induce them to vote for this address; he attempted therefore to raise a bug-bear, so that they might be frightened from according an act of justice to the Church of England, by saying that if this address was carried a flame of discord would rage throughout the Province. He for one did not wish to have this question re-opened, for he had taken an active part in the discussion on former occasions and he knew the evil passions that it had excited, setting friend against friend and brother against brother. But there is no intention on the part of the Church of England to re-open the question - their share of the land has been allotted to them, and they only wish to have the management of their own share. He considered therefore, there had been a want of candour in the manner in which the hon. members for the North and South Ridings of York had treated this subject. They had given us the whole history of this question, instead of confining themselves to the address. The hon. member for the North Riding

of York, with a great deal of disingenuousness, referred to the demands of the Church Society, and endeavoured to prejudice the minds of hon. members by stating that these were the unreasonable demands that were sought for by him and those who acted with them on this question. But suppose that the Society asked for perpetual possession of these lands, and the committee reported that they ought not to have this request granted. - Would they be responsible for the unreasonable demands of the Society? The committee repudiate all such requests, and desire that all necessary restrictions may be placed upon this Society, by the home or provincial governments, in the management or disposal of these lands. The opponents of this address have not stated one fact, which should lead any fair minded man to vote against this address. (Oh! oh!) The Church of England will not submit to have their lands squandered; and if their reasonable request is rejected, they will come before this House session after session until they obtain their wishes, for it will create a strong feeling of dissatisfaction in the minds of the members of that Church; they will consider that they have been denied a common act of justice. - He entreated, therefore, the Lower Canada members to ponder this question well, and vote for this address; and he could assure them that not a single Church of England member would vote against them when a similar question which interested them came up for discussion.¹⁴¹

Signs of dissent on the ministerial side.¹⁴²

He, MR. SOL. GEN. SHERWOOD, had presented a petition from the Roman Catholic Bishops respecting certain estates that they claim without any promised support, since that time he had studied the question and was prepared to lay several facts before the House that might influence many. He was surprised at the course that many of the ministerial members had adopted, and at seeing the hon. members for Leeds and the North Riding of York united together against the interests of the Church of England, and to refuse them their just rights.¹⁴³

MR. AT. GEN. DRAPER said that he did not wish to be held responsible either for the introduction of the motion or the manner in which it was made, but¹⁴⁴ he trusted the House would indulge him while he made a few remarks upon the reasons which had induced him to come to the conclusion at which he had arrived on the important question now before the House. He well knew the difficulties of the subject, and had had occasion to feel them as much as any man. They were questions which had already been, and doubtless might be made again, the source of the most violent agitation. He had once before had occasion to deal with the subject in another shape and had seen quite enough to make him desire never to be obliged to interfere with it again. But however much he might feel this he hoped he should never fail, when called upon, to express his opinions openly and frankly,¹⁴⁵ as he had never been backward in ((so doing))¹⁴⁶, even when they might be in opposition to the views of those whose support he generally felt proud to possess. He regretted that it had been thought necessary to bring up this question in that House. Though the remedy sought for were ever so desirable in itself, he thought it would have been better had it been applied for to another quarter; yet while he said this, he did not pretend that no remedy ought to be applied - all he said was this - that if he had been asked

whether he would advise that it should be brought forward there, he would have said No. He would have preferred too that the different paragraphs of the Address should have been introduced as separate resolutions, in order that they might be considered in detail by the House. As they were brought forward, however, and as they were brought forward in their present state, he would offer a few observations on their several parts, and would then apply himself to the resolution, considered as a whole¹⁴⁷ contenting himself merely with making some observations on the leading features of the motion.¹⁴⁸ If he could think that the passage of the Address would produce the state of things that had been so strongly deprecated by his hon. and learned friend from North York, he meant the re-opening of agitation, and would at once concur with his hon. friend, that nothing could be more injurious than¹⁴⁹ discussion on a question which he had long considered as finally settled.¹⁵⁰ His hon. friend had spoken in strong language - but not too strong for the occasion - of the danger which might be the result of such a course; and he had ably showed how deeply sensible former Governors had been of the evils with which that unhappy agitation had affected Upper Canada. He repeated, then, that if he thought the Address¹⁵¹ in a new shape ... was opening the door for discussion and agitation on that subject, he would without hesitation give it his most determined opposition, for he was fully satisfied by his experience as a member of the Upper Canada Legislature, that it would be an act of folly¹⁵² which he could scarcely find words strong enough to describe. In that particular it appeared to him that the hon. member had been misunderstood by some succeeding speakers¹⁵³, ((among them)) the Solicitor General¹⁵⁴. He did not understand the hon. member to say that the Church of England was seeking to re-open these difficulties, but that the fact of her coming to the Legislature with the request she now made, might give occasion to their being re-opened¹⁵⁵; that the Church of England in applying to the Legislature at all was setting an example which other sects would follow, and consequently (sic) the agitation of that question would be re-commenced.¹⁵⁶

MR. BALDWIN - Yes.¹⁵⁷

He, MR. AT. GEN. DRAPER, understood him to make no charge against the Church, but to oppose this motion as one likely to lead to agitation and thus shake the settlement which had taken place. So far he thought the hon. member for Toronto had misunderstood his hon. friend, but he must say that he was¹⁵⁸ forcibly struck with the utterance of tone with which this question was received that evening, from that which had too often characterised discussion on the same subject; and he must be permitted to say that if one thing more than another could conduce to convince him that the settlement of the question had been, upon the whole, a satisfactory one, and had tended to remove the difficulties attendant upon the subject it was the sacred spirit with which it was now debated. - There had been none of that personal acrimony;¹⁵⁹ none of that recrimination, none of those charges of insincerity,¹⁶⁰ of sinister and dishonest motives, against opposite parties; none of that hostile, even vindictive feeling which had on former occasions converted intimate¹⁶¹ ((and)) sincere¹⁶² friends into avowed and bitter enemies.¹⁶³ He was glad of it, for it led him to believe that that settlement which he had urged¹⁶⁴ ((and)) which had resulted in effectually preventing the continuance of agitation in Upper Canada¹⁶⁵, and

concerning which he had not been very considerately treated at the time,¹⁶⁶ in certain quarters,¹⁶⁷ had given rise to a more kindly feeling and that they could now debate this question without any of that spirit with which its discussions were formerly attended¹⁶⁸. After all that had been said about Clergy Reserve, he thought he might safely conclude, that there was a strong conviction, on both sides that the religious instruction of the country ought to be provided by some more efficient means than mere voluntary contribution. It was an observation frequently made, that in questions ever so little approaching to matters of¹⁶⁹ religious differences¹⁷⁰ ((and)) religious belief, it was scarcely possible to discuss them without¹⁷¹ a display of¹⁷² something very far removed from religious feelings. It was true that in Canada, where it had long been established, that nothing should exist like that which, in England, was understood by the connection between Church and State, and where, therefore, the feelings of jealousy and opposition between different parties might not have the same ground as in another country, where members of one Church were called upon to contribute to the support of another Church; yet¹⁷³ there is another principle admitted, that some provision must be made for the support or rather the education of the youth of all religious denominations.¹⁷⁴ The principle that advocated the support of religious instruction, was so far received as to occasion the most violent agitation amongst the claimants for that support - an agitation which nothing could put a stop too (sic) but the settlement of the question on the existing basis¹⁷⁵, by the division of the Clergy Reserves¹⁷⁶. All this appears to lead to the reflection, that¹⁷⁷ if there is to be no connection between Church and State,¹⁷⁸ it was not part of the duty of the Government to maintain any one Church as the Church of the State; and that although the Government was appointed by the Act of 1840, the distributor and manager of the funds appropriated for the support of religion by the mother country and the Province; yet that it was not the duty - and in a government composed of persons of different faiths - so far from being a duty, might involve the greatest difficulty, for the Government to continue the office of manager of ecclesiastical property. The support of religion being admitted as an understood principle, he asked¹⁷⁹ was it the most efficient means of carrying out that principle to make it the duty of the Government to administer funds set apart for the purposes of religion? ... On what ground was the Government called on to become the trustee of those funds? He must say he could see none, and the less the Government has to do with the affairs of any Church so much the better¹⁸⁰, and less because such trusteeship was sanctioned by the strictest enactments. In that respect, he differed from the hon. gentleman opposite in the conclusion he had drawn; he confessed, he heard with some regret, that all the arguments urged on this question of high and lofty principle, involving the question of the duty of providing for religious instruction, was resolved into the mere question of whether it should cost 25, 13, or 10 per cent. to collect the funds. He thought he could take higher grounds, and if he did not, he would not have taken the trouble to address the House.¹⁸¹ He could assure hon. members if there had been no other question started he should not have risen to discuss that one, but as he was up he would make one or two observations on it¹⁸². With regard to the question of the management of the Crown Lands, he admitted that it was capable of great improvement, and he could assure the House that he and his

colleagues were most anxious to collect information and to act upon it, so that this improvement might be effected¹⁸³, and to confirm which, he might appeal to the hon. member for Ottawa who had devoted to it his most anxious attention¹⁸⁴. It appeared to him, however, that there had been much misrepresentation in the manner which had been adopted, to show how much more cheaply¹⁸⁵ the sales and other transactions connected with the Clergy Reserves¹⁸⁶ might be managed - he did not mean to say any wilful misrepresentation, but such a statement as would lead to misunderstanding out of doors¹⁸⁷ and although he could not speak as accurately as he could wish, he could not believe they could be managed so much more cheaply by the societies themselves than by the Government as some hon. gentlemen would make it appear. Forty per cent had been mentioned, by an hon. gentleman in speaking of this matter, and although he was confident that hon. gentleman did not wish to make it appear that that was the percentage on the sales of the Clergy Reserves yet it had a very large sound, and it might happen that the public would believe that to be the case¹⁸⁸. It had ((also)) been alleged that a certain gentleman had offered to undertake the management at 5 per cent. At first sight, it would appear, to those not well informed, that the 40 per cent and the 5 per cent were calculated in a similar way. In fact, however, 40 per cent of the expenses of managing the Crown Lands department was a very different thing from 40 per cent on the sales of land. He was not a very good hand at calculations, but he thought he could put the matter in a very striking point of view, and if he were wrong, his friend the Inspector General would set him right. Let the House suppose the £100,000 were produced in one year on the sale of those lands: 40 per cent on that sum would amount to £40,000, and 5 per cent only £5000, which would afford a very erroneous view of the real state of the case. The average expense of the management of the Crown Lands Department was £10,000, now 40 per cent on that, he thought, would be considerably less than the much talked of 5 per cent on the same. He said this to show how easily the minds of men might be led to false conclusions, and because it was one of those points which had been made the ground for interference, but upon which he could not bring himself to vote for it. Then, with regard to the 10 per cent. which was said to be the charge for the collection of the rents, he felt it necessary to mention one fact, it was that, though 10 per cent has been paid for these collections during many year (sic), the arrangement did not begin with the Government, but was granted by the Clerical corporation themselves, when the management of the rents was in their own hands. Besides this, although the percentage had been the same it was only recently that the amount of it had reached the large sum now gained by the gentleman who managed that part of the business, notwithstanding the fact that the rents were now much less than they formerly were, on account of many of the lands leased out having been sold. In fact, the whole collection during the 15 years when the leasing system prevailed to a much greater extent, the proceeds had been less than during the two years during which they had been under this gentleman's management. The reason was plain. Formerly the agent waited till people came to pay their rents, now he went to get them, and he did not use his own efforts merely, but employed persons paid by himself to go round, and so collected thousands of pounds where others had only collected hundreds of dollars. It was not fair to that gentleman to represent him as getting a large income without stating at the same time that he obtained it by his own

exertions, and in a manner as beneficial to his employers as to himself. He would pass by the privilege claims on the Clergy Reserves, but would remark that the disposition of the produce of the lands sold, when once invested, were entirely taken out of the hands of the Government. The Government had, in fact, nothing to do with the distribution of the proceeds which was committed to the hands of an ecclesiastical corporation, called the "Society for promoting the Gospel," so that the only difference between the present system and that proposed to be adopted, was reduced to the question whether the distribution should be in the hands of an ecclesiastical corporation in England or in Canada, for the Government had no more to do with the distribution of this money, than the hon. member for Leeds or himself. But, apart from the danger of re-opening the agitation relative to the Clergy Reserves, his hon. friend from the North Riding of York argued that the managers of these lands ought to be compelled to dispose of them within a certain period¹⁸⁹ in order to prevent their being kept up for the purpose of increasing their value,¹⁹⁰ and the hon. gentleman asserted that, to fix such a period¹⁹¹ was a mere delusion, for the hon. member for Ottawa, could tell them that lands could not be sold quite so fast, and consequently the Society would come before the House for a further extension of time which could not well be refused.¹⁹² He (Mr. Draper) would like to know whether the argument that the lands would remain unsold, and that thus the capital would be idle and improvement be impeded, would apply with greater force when the management of these lands were in the hands of a corporation, than it did while they remained in the hands of Government? He thought not. He was not shutting his eyes to the disposition which the Government might be supposed to have to sell, and that which a clerical corporation might have to hold, but he said that so far as the mere question of the difficulty of finding purchasers was concerned, the same result must arrive; because he supposed it would be admitted that the Government had no greater means of finding purchasers than others possessed. If not, then, he would ask if there was any reason which would induce the clergy to hold them. The answer appeared to him to be two-fold. The first arose from the interest of the parties; the second from the means of preventing an evil of that sort growing up. Now if he were rightly informed - though he confessed he spoke from newspaper reports - there was a disposition at home to withdraw from the Colonial Churches the assistance lately given to them, and so leave them to their own resources.¹⁹³ Now if that were the case, it became a mere question of interest whether by selling these lands or withholding them the Church was likely to be most benefited, and he conceived there could be no doubt on the subject. Those lands in their present state yield nothing, they are of great value, but excepting the annual sales it was impossible to derive any profit from them, whereas by their immediate sale, the proceeds could be disposed of in such a manner as to yield an immediate return for the support of the Church.¹⁹⁴ Now if this information were applied to Upper Canada, and if it were considered that the country constantly increased in population, he thought hon. gentlemen would not be prepared to consider that the Church of England's history, whether past or present, justified the conclusion that she would be indifferent to the religious instruction of those committed to her charge.¹⁹⁵

(260)

Mr. Speaker.

*During the debates on the above motions, the Speaker being taken suddenly ill, left the Chair.*¹⁹⁶

MR. AT. GEN. DRAPER announced that the Speaker would be unable to resume his duties that evening¹⁹⁷.

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Adjournment.

The Honourable Mr. Attorney General Draper, (addressing the Clerk) moved, seconded by the Honourable

Mr. DeBleury,

That the House do adjourn.

The Clerk having put the question, it was carried in the affirmative.

And the House adjourned accordingly.

FOOTNOTES - 19 MAY 1846.

1. The debate on this motion was reported by: MIRROR, 19 May 1846, and PILOT, 21 May 1846, in accounts that are identical; and MONTREAL GAZETTE, 22 May 1846.
2. MIRROR, 19 May 1846.
3. MONTREAL GAZETTE, 22 May 1846.
4. MIRROR, 19 May 1846.
5. MONTREAL GAZETTE, 22 May 1846.
6. MIRROR, 19 May 1846.
7. MONTREAL GAZETTE, 22 May 1846.
8. MIRROR, 19 May 1846.
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10. MIRROR, 19 May 1846.
11. MONTREAL GAZETTE, 22 May 1846.
12. MIRROR, 19 May 1846.
13. MONTREAL GAZETTE, 22 May 1846.
14. MIRROR, 19 May 1846.
15. MONTREAL GAZETTE, 22 May 1846.
16. MIRROR, 19 May 1846.
17. This matter was reported by: MIRROR, 19 May 1846, and PILOT, 21 May 1846, in accounts that are identical; and MONTREAL TRANSCRIPT, 21 May 1846, and KINGSTON NEWS, 25 May 1846, in identical accounts.
18. MONTREAL TRANSCRIPT, 21 May 1846.
19. MIRROR, 19 May 1846.
20. MONTREAL TRANSCRIPT, 21 May 1846.
21. The debate on this matter was reported by: MIRROR, 19 May 1846, and PILOT, 21 May 1846, in accounts which are identical in most respects except that in the PILOT some speeches have been omitted entirely; MONTREAL TRANSCRIPT, 21 May 1846, and KINGSTON NEWS, 25 May 1846, in identical accounts; and MONTREAL GAZETTE, 22, 23 May 1846. Draper's speech was reported by MONTREAL GAZETTE, 22 May 1846, in an account abbreviated but otherwise identical to that of MONTREAL TRANSCRIPT, 21 May 1846. Commentaries are contained in PILOT, 23 May 1846, and EXAMINER, 27 May 1846.
22. MIRROR, 19 May 1846.
23. MONTREAL GAZETTE, 23 May 1846.
24. MIRROR, 19 May 1846.
25. MONTREAL GAZETTE, 23 May 1846. Portions of this passage are nearly illegible.
26. MIRROR, 19 May 1846.
27. MONTREAL GAZETTE, 23 May 1846.
28. MIRROR, 19 May 1846.
29. MONTREAL GAZETTE, 23 May 1846.
30. MIRROR, 19 May 1846.
31. MONTREAL GAZETTE, 23 May 1846.
32. MIRROR, 19 May 1846.
33. MONTREAL GAZETTE, 23 May 1846.
34. MIRROR, 19 May 1846.
35. MONTREAL GAZETTE, 23 May 1846.

36. MIRROR, 19 May 1846.
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39. MONTREAL GAZETTE, 23 May 1846.
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64. MIRROR, 19 May 1846.
65. MONTREAL GAZETTE, 23 May 1846.
66. MIRROR, 19 May 1846.
67. IBID.
68. IBID.
69. MONTREAL GAZETTE, 23 May 1846.
70. MIRROR, 19 May 1846.
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72. MIRROR, 19 May 1846.
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75. MONTREAL GAZETTE, 23 May 1846.
76. MIRROR, 19 May 1846.
77. MONTREAL GAZETTE, 23 May 1846.
78. IBID.
79. MIRROR, 19 May 1846.
80. IBID.
81. IBID.
82. IBID.
83. IBID.
84. IBID.
85. IBID.
86. MONTREAL TRANSCRIPT, 21 May 1846.

87. MIRROR, 19 May 1846.
88. MONTREAL TRANSCRIPT, 21 May 1846.
89. MIRROR, 19 May 1846.
90. MONTREAL TRANSCRIPT, 21 May 1846.
91. MIRROR, 19 May 1846.
92. IBID.
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95. MONTREAL TRANSCRIPT, 21 May 1846.
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98. MIRROR, 19 May 1846.
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124. MONTREAL TRANSCRIPT, 21 May 1846.
125. MIRROR, 19 May 1846.
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128. IBID.
129. IBID.
130. MONTREAL TRANSCRIPT, 21 May 1846.
131. MIRROR, 19 May 1846.
132. IBID.
133. MONTREAL TRANSCRIPT, 21 May 1846.
134. MIRROR, 19 May 1846.
135. IBID.
136. IBID.
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138. IBID.
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140. IBID.
141. IBID.
142. IBID.
143. IBID.
144. IBID.
145. MONTREAL TRANSCRIPT, 21 May 1846.
146. MIRROR, 19 May 1846.
147. MONTREAL TRANSCRIPT, 21 May 1846.
148. MIRROR, 19 May 1846.
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156. MIRROR, 19 May 1846.
157. IBID.
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- 189. MONTREAL TRANSCRIPT, 21 May 1846.
- 190. MIRROR, 19 May 1846.
- 191. MONTREAL TRANSCRIPT, 21 May 1846.
- 192. MIRROR, 19 May 1846.
- 194. MONTREAL TRANSCRIPT, 21 May 1846.
- 194. MIRROR, 19 May 1846.
- 195. MONTREAL TRANSCRIPT, 21 May 1846. According to LE JOURNAL DE QUEBEC, 26 May 1846, Draper had spoken twenty minutes at this point.
- 196. LE JOURNAL DE QUEBEC, 26 May 1846, commented: "M. Draper parlait 20 minutes environ...quand l'orateur nous a manqué." The MONTREAL TRANSCRIPT, 21 May 1846, noted that MacNab was "led out by several members."
- 197. MONTREAL TRANSCRIPT, 21 May 1846.

WEDNESDAY, 20 MAY 1846.

(260)

Letter from
Mr. Speaker.

THE Clerk communicated to the House the following
Letter addressed to him by the Speaker of the House:--

RASCO'S HOTEL, 20th May, 1846.

SIR,

Being prevented by severe indisposition from taking the Chair this day,
I beg you will have the goodness to communicate the same to the House, that
an adjournment may take place until to-morrow.

I have the honor to be, Sir,

Your obedient Servant,

ALLAN N. MACNAB,

Speaker.

To the Clerk of the
Legislative Assembly.

Adjournment.

Then, on motion of the Honourable Mr. Viger, seconded
by Mr. Foster,

The House adjourned.

THURSDAY, 21 MAY 1846.

(260)

Letter from
Mr. Speaker.

THE Clerk communicated to the House the following
Letter, addressed to him by the Speaker of the House:--

RASCO'S HOTEL,
21st May, 1846.

SIR,

In consequence of my continued indisposition I am unable to take the
Chair this day. I have therefore to request you will have the goodness to
communicate the same to the House, that an adjournment may take place until
to-morrow.

I have the honor to be, Sir,
Your obedient Servant,

ALLAN N. MACNAB,
Speaker.

To the Clerk of the
Legislative Assembly.

Adjournment.

Then, on motion of Mr. Foster, seconded by Mr.
Sherwood of Brockville,

The House adjourned.

FRIDAY, 22 MAY 1846.¹

(260)

Messages from
Governor
General.

THE Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker two Messages from His Excellency the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:--

Montreal
Harbour.

CATHCART.

The Governor General recommends to the consideration of the Legislative Assembly, that authority should be given to apply the sum of £19,000, loaned under the provisions of the Act 10 and 11 Geo. 4, cap. 28, and 1 Vict. cap. 23, to the Montreal Harbour Commissioners, to the erection of Light Houses and Refuge Stations in the Gulf of St. Lawrence, as the same may be repaid.

Government House,

19th May, 1846.

Rebellion
Losses.

CATHCART.

The Governor General transmits for the information of the Legislative Assembly, the 4th, 5th and Special Reports of the Commission of Indemnification, appointed under 1st Vict. cap. 7, and 2d Vict. cap. 35, and recommends to their consideration that provision should be made to discharge the amount awarded to the claimants, which still remains unpaid.

Government House,

19th May, 1846.

(For the said Report, see Appendix L.L.)

Returns to
Addresses.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

St. Lawrence,
Cornwall, and
Beauharnois
Canals.

Return to an Address from the Legislative Assembly to His Excellency the Administrator of the Government, dated the 1st ultimo, praying that His Excellency would cause to be laid before them, "A Statement of the amount expended on the different cuts of portions of the St.

Lawrence Canals,--at what time the Cornwall and Beauharnois Canals were opened,--

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the number of people employed,--the amount of salaries or wages paid, and the expenses incurred on each since opened, with the amount of Tolls received on up and down Freight during the same period; also to direct the Board of Works to report to this House, whether it is their intention to finish this Canal so as to admit the free passage of Vessels from the Upper Lakes to Tide Water and back, without transhipment,--and whether it is their intention to furnish a continuous Towing Path or Steam Power, to admit the free passage of each Vessel between Prescott and Montreal, and if not, to report in what manner

Vessels are to be supplied with means of returning, when a Towing Path is not provided."

BOARD OF WORKS,
Montreal, 13th April, 1846.

SIR,

I have the honour herewith to submit for the information of His Excellency the Administrator of the Government, the following Statement in reference to the Expenditure and Establishment upon the several portions of the St. Lawrence Canals, as requested to be furnished by the Address of the Legislative Assembly.

1st. The amount expended on the different cuts or portions of the St. Lawrence Canals:

Beauharnois Canal £296,217 7 3

Cornwall Canal:

By Commissioners as per statement from

I. G's Office 440,097 11 0

By Board of Works 71,724 1 2

£511,821 12 2

Williamsburg Canal 163,649 12 11

2nd. "At what time the Cornwall and Beauharnois Canals were opened:"

The Beauharnois Canal was opened on the 11th October last.

The Cornwall Canal was partially opened in the Fall of 1842, but in consequence of the several breaches which occurred shortly after, the Navigation of 1843 was very much interrupted.

Of the Williamsburgh Canals, the Galoppes will be opened on 1st September next.

The Farren's Point,

The Rapide Plat,

The Point Iroquois,

On 1st October next.

3rd. "The number of people employed, and their salaries, and the expenses incurred on each since the opening of the Canal."

The establishment on the Beauharnois Canal consists of

One Superintendent and Collector at £160 per an.

Nine Lock Tenders, at 50 "

16 Lock Labourers, at 37 10 "

One Bridge Keeper, at 30 "

The amount expended on this Canal since its opening, (exclusive of the costs of portions of the work not fully finished when the Canal was opened) is £526 17s. 3d. currency, being the amount of the pay of the Establishment.

The Establishment on the Cornwall Canal consists of

One Superintendent and Collector, at £160 per an.

Four Lock Tenders, at 76 2 "

One Bridge Keeper, at 25 "

Twenty Lock Labourers, wages paid

by the day during the season of
Navigation, may be assumed at 37 10 "

The amount expended on this Canal since its final opening, independent of the wages of the establishment, has been £10,357 1s. 4d. currency, being the outlay on repairs, and strengthening of embankments, protecting force of banks, &c.

4th. "Amount of Tolls received on up and down Freight."

Until the several portions of the Navigation were completed, it was not to be expected that the benefits anticipated from these Canals could be realized; until then, no advantage could comparatively be derived from the completion of one or two isolated portions; the trade must have continued to be carried on in the small class vessels, which returned upwards by the Rideau route, and the same transshipping and other costs would have to have been incurred, which will be abolished on the opening of the Navigation throughout.

Under such circumstances, so long as the Cornwall Canal was the only part opened, it was not deemed expedient to impose Tolls, and the opening of the Beauharnois Canal took place so late last season, that the amount of Tolls collected, cannot be taken as any criterion by which to judge of the revenue therefrom.

The total amount of Tolls received was:

For <u>Beauharnois</u> Canal	£64	8	3 $\frac{1}{4}$
" <u>Cornwall</u> do	51	12	5

5th. "Whether it is the intention of the Board of Works to finish this Canal, so as to admit the free passage of vessels from the Upper Lakes to Tide Water, and back, without transshipment and whether it is their intention to furnish a continuous towpath, or steam power to admit the free passage of each vessel between Prescott and Montreal, and if not to report in what manner vessels are to be supplied with the means of returning when a towing path is not provided."

On the close of this year when the works of the several Canals shall have been completed, the navigation of the St. Lawrence, from the Upper Lakes to Tide Water, will be fully opened, but in as much as a large portion of the line is a river navigation, with a current varying, in some parts, from 2 to 3 $\frac{1}{2}$ miles an hour, and the generally prevailing wind being down stream, it is clear that to ensure despatch and certainty of delivery, sailing and all other craft not propelled by steam power, must be assisted up stream in some manner.

Of the two modes suggested in the extract from the Address of the Legislative Assembly above quoted; I consider "a continuous tow-path" to be out of the question, not only from the enormous expense that would have to be incurred in its construction and maintenance, but even if constructed along the narrow waters, the object aimed at would not have been obtained, as the Navigation of Lake St. Francis and Lake St. Louis would still continue to render the arrivals of all craft, not steam vessels, uncertain.

In the present pecuniary circumstances of the Province, there are many individuals, whose means, although sufficient to induce them to become the proprietors of one or two or more large barges, well suited to the enlarged navigation, are not extensive enough to enable them to undertake the estab-

lishment of the steam tug-power, requisite to ensure a steady and regular course of forwarding by means of barges; without this power their barges could not return.

In my opinion, therefore, the forwarding trade will, as heretofore, continue wholly in the hands of men of large capital, at least, for some years, until by degrees the high price of freight and large profits leading others into the trade, would result in extensive competition, and thereby reduce the cost of freight to what it ought to be at present, if we are to compete successfully with our American neighbours.

The question is a most important one, whether this object could not be at once obtained upon the completion of the canals, by the establishing of a towing power between Montreal and Kingston at the cost of the Province, the use and aid of such power to be open to all, and to be laid aside when pri-

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vate enterprise renders its continuance no longer necessary.

The consideration of this question and of the general principles of political economy involved in it, comes, I conceive, more properly within the province of the Inspector General's department.

I have the honor to be,
your very obedient servant,

HAMILTON H. KILLALY,
Chairman Board of Works.

The Hon. the Provincial Secretary,
&c. &c. &c.

Also,

Montreal
Court House.

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency may be pleased to cause to be laid before the House, "all Plans, Estimates, and Reports, and Tenders, (propositions) either from the Board of Works, or any other party, which may have been made by order of the Government of this Province, and submitted to the said Government, relative to the construction of a new Court House in the City of Montreal, for the District of Montreal, at the place or places where such Court House is to be erected, and to the probable cost of such building, according to the said Plans, Estimates, Reports, and Tenders, (propositions) and also to cause to be laid before the House, Copies of all Orders and Instructions which may have been given on the part of the said Government to the said Board of Works, or any other party, requiring them to make such Plans, and Estimates, and Reports, and to make or receive such Tenders."

(For the said Return, see Appendix M.M.)

Also,

Return to an Address from the Legislative Assembly to His Excellency, the Administrator of the Government, dated the 2d ultimo, praying that His Excellency would cause to be laid before them, "the amount expended for the maintenance of the Police force for the year 1845--specifying the number employed on the different Canals, and payment to each, and also a Return for the years 1843 and 1844, applied for by the House during the last session."

(For the said Return, see Appendix N.N.)

And also,

Clergy Re-
serve Lands.

Return to an Address from the Legislative Assembly to His Excellency, the Governor General, dated the 15th instant, praying that His Excellency would be pleased to cause to be laid before them, "a Copy of the Circular, of Letter of Instructions, addressed from the office of the Commissioner of Crown Lands, in April last, to the local agents of that Department, in the different sections of the Province, informing them of the pleasure of the Government, that the sales of Clergy Reserve Lands should be suspended."

CROWN LAND DEPARTMENT,
Montreal, 18th May, 1846.

SIR,

In compliance with the requisition of the Legislative Assembly of the 15th instant, I have the honor to enclose Copies of the Circular Letters of Instruction addressed from this office, in April last, to the local agents, respecting the temporary suspension of the sales of Clergy Reserves.

I beg to add, however, that the suspension was removed by Circulars dated the 4th and 6th of May instant.

I have the honor to be, Sir,
Your most obedient servant,

T. BOUTHILLIER.

The Honorable

The Provincial Secretary, &c.&c.&c.

Circular.

CROWN LAND DEPARTMENT,
Montreal, 13th April, 1846.

SIR,

In consequence of a Despatch from the Right Honorable the Secretary of State for the Colonies, with reference to the Clergy Reserves, and on account of the low rates at which those lands in the several Districts have been valued, the sale of Clergy Reserves in the Western section of the Province is suspended for the present by command of His Excellency, the Administrator of the Government, in Council.

This is to take effect from the day you receive this until further notice.

(Signed,)

D. B. PAPINEAU.

To the District Agents,
Canada West.

Circular.

CROWN LAND DEPARTMENT,
Montreal, 16th April, 1846.

SIR,

In consequence of a Despatch from the Secretary of State in reference to Clergy Reserves, and on account of the low rate at which some of these lands have been valued, the sale of the Clergy Reserves in both sections of the Province, is by command of His Excellency, the Administrator, suspended until

further orders.

You will therefore abstain from making any more sales of Clergy Lands after the receipt of this letter.

(Signed,)

T. BOUTHILLIER.

To the District Agents,
Canada East.

Circular.

CROWN LAND DEPARTMENT,
Montreal, 20th April, 1846.

SIR,

You are to understand that the Circular of the 13th instant is not to apply to sales authorized by special orders in Council, passed subsequently to the General Inspection of Clergy Reserves.

And I may also add, that applications for purchase by Petitions to the Executive Government, received previous to the 1st of April, will also be acted upon. But you will endeavor to prevent parties forwarding applications for the future, until after the Government have adopted some new mode of disposing of these lands.

(Signed,)

T. BOUTHILLIER.

To the District Agents,
Canada West.

Petitions laid
on the table.

The following Petitions were severally brought up
and laid on the table:--

By Mr. Stewart of Bytown,--The Petition of James Blackburn and others, Creditors of the late Municipal Council of the District of Sydenham.

By Mr. Foster,--The Petition of the Reverend M. Townsend and others, of the County of Rouville.

By Mr. Smith of Wentworth,--The Petition of William New and others, residing in the neighbourhood of the Town of Hamilton.

By Mr. M'Connell,--The Petition of the Reverend Thomas Johnson and others, inhabitants of Abbotsford and its vicinity.

By Mr. Price,--The Petition of the Reverend J. Winterbotham and others, Members of the Baptist Church and Congregation meeting in the Town of Brantford, (relating to Clergy Reserves;) and the Petition of the Reverend J. Winterbotham and others, Members of the Baptist Church and Congregation meeting in the Town of Brantford, (relating to King's College.)

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By the Honourable Mr. Solicitor General Sherwood,--The Petition of the Reverend Matthew Kerr and others, Members of the United Church of England and Ireland, in the Townships of March and Huntley, in the Diocese of Toronto.

By the Honourable Mr. Robinson,--The Petition of Joseph Bouchette, Esquire, and others, employed in the Civil Service of the Provincial Government; and the Petition of the Reverend William Jones and others, of Bedford.

By the Honourable Mr. Attorney General Draper,--The Petition of the Reverend Charles Fletcher and others, of the Village of Chippawa and neigh-

bourhood, in the District of Niagara.

Petitions read.

Pursuant to the Order of the Day, the following
Petitions were read:--

Of James G. Edwards and others, of the Township of King, in the County of York, of Thomas W. Tyson and others, of the Township of King, in the Home District; of William Henry Michell and others, of the Township of Pickering, in the Home District; and of Timothy Devenish and others, of the Township of Scarborough, in the Home District; praying that no partition be made of the Endowment of King's College, but that it be secured from mismanagement, and adapted to the circumstances of the country.

Of John Watson and others, of the Township of King and parts adjacent; of Thomas W. Tyson and others, of the Township of King, in the Home District; and of John Schaffer and others, of the Township of Pickering, in the Home District; praying that no division be made of the Clergy Reserve Lands, but that the proceeds thereof may be appropriated to the promotion of general education.

Of the Reverend Adam Townley and others, Members of the United Church of England and Ireland, in the Townships of Dunn, Dunnville, and parts adjacent, in the Diocese of Toronto; praying that measures may be adopted for vesting in the Church Society of the Diocese of Toronto, for the benefit of the said Church, such a portion of the Clergy Reserve Lands as shall correspond with their share of the income arising from the same.

Of the Corporation of the Town of Prescott; praying for the passing of the Bill now before the House, to amend the Act relating to Ferries.

Of George Lount and others, of Holland Landing, and its vicinity; praying that the Yonge Street Road may be made in a straight line, according to the original intention.

Of Cornelius Henry Finlay, Contractor; referring to his Petition of last session, in which he complains of certain losses by a contract in the Beauharnois Canal, and of certain injustice by the Board of Works, and praying relief.

Of Robert Fleming Gourlay, setting forth:--That Your Honorable House, in the year 1841, unanimously declare, that the arrest and imprisonment of your Petitioner, in Niagara, in 1819, was "illegal, unconstitutional, and without the possibility of excuse or palliation." That your Honorable House did, at the same time, recommend that "the Legislature should declare his sentence of banishment null and void; and cause him to be compensated for the losses he has sustained by the unwarrantable exercise of authority. In the meantime, that some allowance be made to him, to defray his personal expenses, while in attendance before the Legislature defending the rights of a British subject." That, as yet, his sentence of banishment is not declared null and void; neither has he been compensated for losses. On the contrary, he has been detained in America ever since, with no other object but the fulfilment of the recommendations of your Honorable House, and has, thereby, incurred great expense; besides suffering unspeakable misery in being kept away from his family in Scotland. On his part, all has been done that was possible to urge on fulfilment, during the whole of these last five years; nor has he ever relaxed in defending the rights of a British subject. In order to form an idea of what compensation he is entitled to, it is proper to state, as follows:--That he is an élève of the oldest and least tainted family of the

County of Fife in Scotland. That he was born in the year 1778, heir apparent to considerable estates in the said County, where his father was a Magistrate, till his death, in the year 1819. That, in the year 1799, he received from the King a commission as Captain Commandant of Volunteers; and, from the year 1802 till 1809, was enrolled, by Acts of Parliament, as a Commissioner of Supply for the County of Fife. That, at his marriage, in the year 1807, he had an yearly income of upwards of £500 sterling, besides provisions for his wife and children. That, when he was falsely arrested in Upper Canada, in the years 1818 and 1819, he could still reckon on such income and provisions; but, in consequence of these arrests, all his property was put out of his possession, and is still beyond his control. That, in the year 1820, he went to London, to enter as a Student at Law, that he might, by its practice, maintain himself and family in their accustomed rank; but, because of his conviction in Upper Canada, was precluded by the Benchers; and has, ever since, found it impossible to surmount ruinous prejudices proceeding therefrom, while in fact, his character has ever been unimpeachable. In the year 1831, being a Candidate for the Chair of Agriculture in the University of Edinburgh, he could not obtain a hearing from the Electors; and, in defence of his reputation, obtained testimonials from very many eminent men; some of which are annexed hereto. He now entreats, that the whole of these premises may be duly considered; and that compensation be allowed him for expenses incurred these last five years, the whole of that time having been devoted to his defence as a British subject.

TESTIMONIALS.

No. 1.

St. Andrews, 28th February, 1831.

I hereby certify, that I was well acquainted with Mr. Gourlay, lately a Candidate for the Chair of Agriculture, in the University of Edinburgh, when he was a student at St. Andrews, 1792 till 1796: that he applied himself to his studies with diligence and success, and was well esteemed by his fellow students.

That, he has visited me repeatedly within these last three years, when we conversed freely on various subjects; and that, from these conversations, I have been impressed with the opinion that he is a liberal minded, well informed man, of honorable sentiments and of humane and benevolent dispositions.

JOHN HUNTER,
Emeritus Professor of Humanity.

No. 2.

St. Andrews, 28th February, 1831.

More than thirty years ago, I was a fellow student of Mr. R. Gourlay, at the University of St. Andrews, and am happy to say, that while he was highly respectable for his attainments as a scholar, he was distinguished by the propriety of his conduct, and the kindness and gentleness of his manners.

Within the last three years, I have had several long conversations with him, and found him clever, intelligent, well informed and agreeable.

THOMAS DUNCAN,
Professor of Mathematics.

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No. 3.

St. Andrews, 28th February, 1831.

I hereby certify that, many years ago, I was acquainted with Mr. Robert Gourlay, when he was a student in the University of St. Andrews; that he was then a fine sprightly young man, and a diligent, attentive, and respectable student: that, since his return from Canada, I have had the pleasure of being in his company three or four times, and from his manners, conversation, and general deportment, I have seen no reason to alter the favorable opinion I entertained of him when I was first acquainted with him.

JAMES HUNTER,
Professor of Logic.

No. 4.

I hereby certify that I have been long acquainted with Mr. Robert Gourlay; and that I have always considered him a person of good talents, of amiable dispositions, and gentlemanly manners.

JOHN MITCHELL,
Professor of Divinity.

St. Andrews, 21st March, 1831.

No. 5.

This is to certify, that Mr. Robert Gourlay was well known to me upwards of thirty years ago, as a good tempered, sprightly young man, as well as a diligent and successful student, when he attended the different Mathematical Classes for theory and practice, in the University of St. Andrews in the years 1793, 4, and 5;--that for these last three years, I have had very frequent opportunities of conversing with him; and, for intelligence, good humor, and equanimity, under all the changes of fortune, I have the best reason to consider him the most interesting personage of my acquaintance;--of unblemished integrity, with the sentiments and manners of a gentleman, completely informed in all the branches of agriculture in theory and practice, as well as Political Economy, Poor Laws, Emigration, &c., and one of the most ardent and enlightened philanthropists ever I saw;--that he has laid before me his early publications in Scotland and England, his controversial writings in Canada, and his later productions on the most interesting question in Political Economy, which, considering the variety and extent, the extraordinary excitement, and even persecution, under which many of them were written, the honest and liberal convictions which actuated them, and the information and ability he had brought to the discussion, I regard as some of the most wonderful performances I have ever perused; not merely in regard to the clearness and force of the compositions, but in the reasonings by which he supports his views, in the elevated tone of patriotism and humanity which he every where discovers, and, in the temper, and spirit, and perseverance, and intrepidity with which he maintains positions of the highest import to the prosperity and happiness of every nation; and that, besides

his superior information, and other talents, he is possessed withal of so much acuteness, vivacity, and ready elocution, that I know no man better qualified to give a complete and instructive Course of lectures on Agriculture and its kindred subject.

JAMES BROWN.

Retired Professor of Natural Philosophy.

Edinburgh, 24th March, 1843.

No. 6.

Mr. Robert Gourlay is greatly my junior; and, as both of us passed many years abroad, I had no opportunity of forming any particular intimacy with him, until his return to this Country from Canada.

I had read his account of that Colony, containing a dissertation on the Poor Laws, which appeared to me to be a work of uncommon merit. I was anxious to cultivate his acquaintance, and I have had the gratification to enjoy it.

Mr. Gourlay has requested a testimonial from me. I am sensible that it can but little avail; but I may with confidence say, that his moral conduct has been irreproachable in all the vicissitudes of his life: that his manners are unassuming, and those of a gentleman; and that his talents and acquirements will enable him to execute with honor, whatever may be committed to his management.

HUGH CLEGHORN,

Retired Professor of Civil History.

Wakefield, 28th March, 1831.

Of Major John Richardson, late Superintendent of Police on the Welland Canal; complaining of the sudden dismissal of himself and the force under his command, and praying compensation for losses sustained thereby, as also for the clothing of the said force.

Of Louis Edward Pacaud, Esquire, Commissioner of Bankrupts, for the District of Three Rivers; praying for a fixed Salary.²

Of Robert Fleming Gourlay, setting forth:--That the Report of a Select Committee of Your Honourable House, in the case of Your Petitioner, in the year 1841, contained a paragraph, as follows:--"Your Committee are in possession of proofs, that, during the late Rebellion, when the Petitioner was resident in the United States, His Excellency Sir Francis Bond Head, then Lieutenant Governor of Upper Canada, derived from him the most important intelligence of the movements of the Brigands, then organizing for an attack on the Province. This, Your Committee humbly suggest, should neither be overlooked nor forgotten." That, the above was altogether gratuitous on the part of the Committee,--Your Petitioner having solicited nothing of the kind. Yet, as it was laid before the Governor General, by an Address of Your Honourable House, and has won, for your Petitioner, not the slightest consideration, he deems it a duty to himself, as it also is to Your Honourable House, now to refer to it; and to add that, conveyance of intelligence to Sir Francis Bond Head was but a very small part of the service which Your Petitioner did to the Provincial Government, while he was residing in the United States. In fact, during six months that he resided in the City of

Cleveland, in the State of Ohio, viz: in the month of December, 1837, and five succeeding months, he was daily employed in watching machinations for the invasion of Canada; and did, openly, at many Public Meetings, denounce and discourage every thing tending to this,--undismayed by the scowl of popular fury. That many who had part in the Rebellion, came from Canada, expecting the countenance of Your Petitioner, and were much disappointed in finding him opposed to their proceedings, and the interference of American Citizens. That, in fact, while it was in Your Petitioner's power to have banded together an overwhelming force for the Conquest of Canada, he was the most zealous and influential in guarding the Provinces from harm. Your Petitioner would have been little inclined to set forth these facts, had he not experienced unaccountable neglect, and even marked disrespect, from Governors of Canada, after the departure of Sir Francis Bond Head, viz: from Sir George Arthur, Lord Durham, and Mr. Poulett Thompson. Not only did Sir George Arthur and Lord Durham fail to acknowledge Your Petitioner's letters, after he had thrice received thanks from Sir Francis Bond Head; but, on going from Ohio to Quebec,--a distance of seven hundred miles, for no purpose whatever but to communicate to Lord Durham, matters of utmost importance to the welfare of Canada, and at a most critical juncture, he was denied an inter-

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view.--That Your Petitioner, on this occasion, abandoned his furniture in Ohio; greatly aggravated disease with which he had been long afflicted; and was necessarily put to much expense: indeed, moved solely by the purest patriotism, he then brought upon himself an accumulation of distress, from which he can never recover. He is convinced that the August personages, above named, were blinded and deceived by some influences hostile to Your Petitioner, and is therefore more desirous of inquiry into the truth. He earnestly entreats that Your Honourable House will do him the justice to lay this Petition, by Address, before His Excellency the Governor General, in order that there may be opportunity allowed to substantiate what is above affirmed; and that Your Petitioner may be compensated for losses sustained in defence of British interests, and in maintaining the peace of Society.

Petitions
referred:--

G. Lount,
et al.

Ordered, That the Petition of George Lount and others, of Holland Landing and its vicinity, be referred to the Select Committee, to which was referred the Petition of R. C. Gapper and others, of Yonge Street and its vicinity, in the Home District.

J. Richardson.

Resolved, That the Petition of Major John Richardson, late Superintendent of Police on the Welland Canal, be referred to a Select Committee, composed of Mr. Macdonell of Dundas, the Honourable Mr. Laterrière, Mr. Taché, and Mr. Hall, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Duggan, seconded by Mr. Petrie,

Adjournment.

Ordered, That when this House doth adjourn, it will adjourn until to-morrow at Eleven o'clock, A.M.

C. H. Finlay's

The Honourable Mr. Robinson moved, seconded by Mr.

Petition.

Macdonell of Dundas, That the Petition of Cornelius Henry Finlay, Contractor, be referred to a Select Committee, composed of the Honourable Mr. Robinson, Mr. DeWitt, Mr. Nelson, Mr. Macdonell of Stormont, and Mr. Macdonald of Glenarry, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Expiring Laws.

Mr. Smith of Frontenac, from the Standing Committee on Expiring Laws, presented to the House the First Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Report.

The Standing Committee on Expiring Laws beg leave to report, that having carefully examined the various Acts and Ordinances which will expire before the next Session, if not continued, they are of opinion that the following Acts and Ordinances of Lower Canada should be continued until the first day of May, one thousand eight hundred and forty-seven, and thence to the end of the next ensuing Session of Parliament, that is to say:--

- 2 George 4, chap. 8.--Regulating the Common of the Seignior of Laprairie de la Madeleine.
- 2 George 4, chap. 10.--Providing for the regulation of the Seignior of La Baie du Febvre.
- 3 William 4, chap. 14.--For more effectually ascertaining the damages on Protested Bills of Exchange, and for terminating disputes relating thereto.
- 2 Victoria, (3rd Sess.) chap. 7.--Amending the Road Act of 36 George 3, chap. 9.
- 2 Victoria, (3rd Sess.) chap. 19.--Establishing and incorporating a Trinity House in the City of Montreal.
- 2 Victoria, (3rd Sess.) chap. 29.--Concerning the erection of Parishes and the building of Churches, Parsonage Houses, and Church Yards.
- 2 Victoria, (3rd Sess.) chap. 65.--Providing for the Inspection of Fish and Oil.

Ordered, That Mr. Smith of Frontenac have leave to bring in a Bill to continue for a limited time certain Acts and Ordinances.

Expiring Laws Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday next.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Baldwin,

Adjournment.

Ordered, That when this House doth adjourn tomorrow, it will adjourn until Tuesday next at Ten o'clock, A.M.

Library.

Mr. Macdonald of Kingston, from the Standing Committee appointed to assist Mr. Speaker in the direction

of the Library, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix O.O.)

Bankrupt
Laws Bill.

The Honourable Mr. Attorney General Smith, from the Select Committee to which was referred the Bill to continue and amend the Bankrupt Laws now in force in this Province, reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Tuesday next.

Reports of
Select Com-
mittees.

Mr. Gowan moved, seconded by Mr. Christie, That Members of this House be permitted to make Reports from Select Committees of which they may be Chairmen, standing in their places, and without proceeding to the Bar of the House, anything in the thirty-fourth Rule of the House to the contrary notwithstanding.

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Berthelot, Bouthillier, Cauchon, Cayley, Chabot, Chauveau, Christie, Cummings, Desaulniers, DeWitt, Attorney General Draper, Drummond, Gowan, Guillet, Hall, LaFontaine, Lantier, Laterrière, Leslie, Méthot, Morin, Papi-
neau, Price, Seymour, Sherwood of BROCKVILLE, Smith of WENTWORTH, Stewart of
BYTOWN, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, Viger, and
Watts.--(32.)

NAYS.

Baldwin, Boulton, DeBleury, Dickson, Duggan, Ermatinger, Foster, Jessup,
Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, McCon-
nell, Moffatt, Petrie, Robinson, Smith of FRONTENAC, Attorney General Smith,
and Williams.--(18.)

So it was carried in the affirmative, and

Resolved, Accordingly.

Oxford
Election.

Mr. Chauveau, Chairman of the Select Committee appointed to try the merits of the Petition of the Honorable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member

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for the County of Oxford, reported to the House, that the Committee met on Tuesday and Wednesday last, and on this day at the usual hour, but in consequence of the absence of Mr. Lacoste and Mr. Roblin, Members of the Committee, they were unable to proceed to business.³

MR. SMITH of Frontenac, wished to know from the Ministry if it were not true that one of the members, Mr. Roblin, was in a position to prevent his

return to the House, if he had not accepted office?⁴

A considerable pause ((elapsed)) and no answer ... ((was)) given.⁵

MR. SMITH of Frontenac again rose and said it was usual to put such questions to the Government.⁶

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Ordered, That Mr. Lacoste, Member for the County of Chambly, and Mr. Roblin, Member for the County of Prince Edward, do severally attend in their places in this House, at the next sitting thereof.

Mr. M'Connell, in the absence of the Chairman, from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, reported to the House, that pursuant to adjournment the Committee met yesterday at half-past eight o'clock, but in consequence of the absence of Mr. Chauveau, Chairman, Mr. Lantier, Mr. Roblin, and Mr. Lacoste, Members of the Committee, they were unable to proceed to business.

Ordered, That Mr. Chauveau, Member for the County of Quebec, Mr. Lantier, Member for the County of Vaudreuil, Mr. Roblin, Member for the County of Prince Edward, and Mr. Lacoste, Member for the County of Chambly, do severally attend in their places in this House to-morrow.

MR. PROV. SEC. DALY⁷ ... moved that a new writ do issue for the election of a member for Prince Edward in the place of Mr. Roblin who was appointed Collector of Customs for Picton.⁸

MR. BALDWIN asked how many offices was Mr. Roblin really considered to be worth; there was a good deal of rumour as to the extent of the arrangement that had taken place between that gentleman and the Administration.⁹ How many offices ... ((had he)) received¹⁰?

MR. AT. GEN. DRAPER said, that Mr. Roblin had always been so warm a supporter of the hon. member for the Fourth Riding, that hon. gentleman ought to be best acquainted with his true value, but this he could say, that if Mr. Roblin only fulfilled his official duties with the same zeal that he had always attended in Parliament, the country would have no reason to regret his appointment.¹¹

MR. PRICE could not allow the opportunity to pass, without expressing his astonishment that Government should have given an office to a member of Parliament engaged on an Election Committee, the merits of which he had sworn to decide, and upon which he had actually been engaged for two Sessions.¹²

MR. AT. GEN. SMITH said, that if any precedent were required, it would be found in the case of a gentleman who had been appointed, while sitting upon the Committee appointed to try the merits of the petition of his hon. friend for the Second Riding of York. That appointment caused the Committee to be broken up, and cost his hon. friend his seat; it was made by the late Administration, of which the hon. gentleman who spoke last was a warm supporter.¹³

MR. BALDWIN said this was one of those misrepresentations which were often made: the appointment in question took place while the hon. member for London was at the head of affairs.¹⁴

MR. DUGGAN said that the appointment alluded to was that of Mr. Aylwin, and he might say farther that that gentleman was not only one of the Committee, but even the nominee of the petitioner.¹⁵

MR. BALDWIN said that he mistook the allusion¹⁶ and explained that he had been thinking of the appointment of the late Inspector General which took place under the Administration of Mr. Draper.¹⁷

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On motion of the Honourable Mr. Daly, seconded by the Honourable Mr. Attorney General Draper,

New Writ.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery to make out a new Writ for the Election of one Member to serve in the present Provincial Parliament for the County of Prince Edward, in the room and place of John. P. Roblin, Esquire, who since his election hath accepted the office of Collector of Customs for the Port of Pictou.

Private Bills.

Mr. Price, from the Standing Committee on Private Bills, presented to the House the Eighteenth Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Quebec School Society Bill.

Your Committee have examined the Bill to incorporate "The British and Canadian School Society" of Quebec, and beg leave to report the same without any amendment,

Ordered, That the said Bill be Engrossed.

Quebec and Halifax Railroad.

Ordered, That the Message of His Excellency, the Governor General, on the subject of the Quebec and Halifax Railroad, be committed to a Committee of the whole House, on Tuesday next.

Printed.

Ordered, That the Petitions of Robert F. Gourlay read this day, be printed for the use of the Members of this House.

Lunatic Asylum, Toronto.

Ordered, That the Message of His Excellency, the Governor General, recommending that permission be given to the Commissioners for the Toronto Lunatic Asylum, to raise by Debentures, the sum of thirty thousand pounds currency;--and the Message of His Excellency, on the subject of the appropriation of the sum of nineteen thousand pounds, now due by the Montreal Harbour Commissioners to the Provincial Government--to the improvement of the navigation of the Gulf of St. Lawrence, by the construction of Light Houses and Relief Stations, be referred to the Committee of the whole House on the Supply granted to

Her Majesty.

Printed. Ordered, That the Petition of Louis Edouard Pacaud, Esquire, Commissioner of Bankrupts for the District of Three Rivers, be printed for the use of the Members of this House.

Printed. Ordered, That the Report of the Select Committee appointed to enquire into the state of the Archives and Records of this Province, be printed for the use of the Members of this House.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. DeBleury,

Registration Bill, (L. C.) Ordered, That the Engrossed Bill from the Legislative Council, intituled "An Act to provide for the safe keeping of the Books, Records, and Papers, and the prompt registration of Deeds and Memorials in the Registry Offices of Lower Canada," be read a second time on Tuesday next.

Leave of Absence. Ordered, That Mr. LeBoutillier have leave to absent himself from this House, during the remainder of the Session, on urgent business, in consequence of the conflagration of part of his property by a recent disastrous fire at Percé.

Ordered, That Mr. Brooks have leave to absent himself from this House during the remainder of the Session, in consequence of illness.

Members added to Committees. Ordered, That Mr. Duggan be added to the Select Committee to which was referred the Petition of William Hillis and others, of the District of London.

Ordered, That Mr. Gowan be added to the Select Committee to which was referred the Report of the Commissioners appointed to enquire into the state and organization of the Crown Land Department, with the accompanying Documents.

MR. BALDWIN¹⁸ moved for an address for papers connected with the road from Lake Scugog to a place called the Narrows. He said that he had referred to this road some seven or eight times since the commencement of the session, and had always expected that some minister in his place would have answered him. He said that in the report of the Chairman of the Board of Works, it was stated that the line of this road was left for the consideration of the Legislature, and when he turned to the accounts he saw the sum of £532 13s. 9d. charged against the grant of £2000.¹⁹

MR. INSP. GEN. CAYLEY would only say, that he supposed that money had been drawn from that particular grant, which ought properly to belong to another grant, but this was owing to the construction of the act constituting the Board of Works.²⁰

MR. ROBINSON, from a return which he had moved for, it appeared that the sum of £54 10s 2d only was charged against that grant, but was surprised to see a large sum charged against it in the public accounts.²¹

MR. BALDWIN, the subject is one that ought to be answered by a minister in his place, but as it appears that he was not to get that answer, he would

have to wait till the return is made to the address.²²

MR. AT. GEN. DRAPER, it is perfectly clear that something is wanted. There ought to be a person in Parliament who is connected with the Board of Works, and who would be capable of answering such questions; it was perfectly impossible, with his other duties to give his attention to that subject. He was glad that the address had been moved for, for if an answer had been given, it would have been viva voce, and would not therefore have appeared in our journals. He conceived that the answer ought to be tangible.²³ He hoped the motion would pass, that the Chairman of the Board of Works might answer for his own acts, and be responsible for that answer. Referring to the abuses of that department, he said that until just before the appointment of the Commissioners of Enquiry into the affairs of the Board of Works, the Government had no idea that the appropriation on the Welland Canal had been exceeded. A Bill was now before the House for the reconstruction of the Board, which made it necessary that the Chairman should be in the House to answer for his acts.²⁴

MR. MOFFATT said a great deal of blame rested on the House for allowing the Board of Works to remain unreformed after the investigation into the matter of the Beauharnois Canal in 1843 had exposed the abuses of that department. He was however opposed to the Chairman being in the House, and considered a great deal of the former mismanagement resulted from that very system.²⁵

MR. GOWAN was in favour of the Chairman being in the House.²⁶

MR. BALDWIN was in favour of the responsible officer of that department being in the House. - When the late Ministry resigned, they had under consideration a scheme to amend the Act of the Board of Works, to that effect.²⁷

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On motion of the Honourable Mr. Baldwin, seconded by Mr. Price,

<i>Address, Scugog and Narrows Road.</i>	<i>Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will be pleased to inform this House, whether the Government have decided upon the Line of Road, upon which the two thousand pounds voted last year, and referred to in the Report of the Chairman of the Board of Works, under the name of "Road from Scugog Lake to the Narrows Bridge," is to be laid out.</i>
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Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

<i>Message from Legislative Council.</i>	<i>A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.</i>
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MR. SPEAKER,

The Legislative Council have passed the following Bills, to which they desire the concurrence of the Assembly.

<i>Matthews At-</i>	<i>"An Act to reverse the attainder of Peter Matthews,</i>
---------------------	--

tainder Bill.

and to avoid the forfeiture of his Estates and Property."

Registrars
Acts Bill,
(U. C.)

"An Act to make provision for confirming certain Acts of Registrars, in that part of this Province, formerly Upper Canada."

Also,

The Legislative Council have passed the following Bills without any amendment.

Montreal In-
corporation
Laws Bill.

"An Act to amend the Laws incorporating the City of Montreal, and to facilitate the decision of cases wherein the right of any party to any Office in the Corporation, may be called in question."

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Lotbinière
Court and
Registry Of-
fice Bill.

"An Act to provide for the removal of the place of holding the Circuit Court, in the County of Lotbinière, from St. Croix to Lotbinière, and of the Registry Office of the said County, from the place where it is now held, to Ste. Croix."

And also,

The Legislative Council have passed the following Bills with amendments, to which they desire the concurrence of the Assembly.

Orleans and
Montmorency
Division Bill.

"An Act to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration."

Cobourg
Manufac-
turing Bill.

"An Act to incorporate the Cobourg Manufacturing Company."

Cornwall
Incorporation
Bill.

"An Act to amend the Act of Incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu of a Board of Police."

And then he withdrew.

Matthews At-
tainder Bill.

An Engrossed Bill from the Legislative Council, intituled, "An Act to reverse the attainder of Peter Matthews, and to avoid the forfeiture of his Estates and Property," was read for the first time.

On motion of the Honourable Mr. Attorney General Draper, seconded by Mr. Hall,

Ordered, That the said Bill be read a second time to-morrow.

Registrars Acts
Bill, (U. C.)

An Engrossed Bill from the Legislative Council, intituled, "An Act to make provision for confirming certain Acts of Registrars, in that part of this Province, formerly Upper Canada," was read for the first time.

On motion of the Honourable Mr. Attorney General Draper, seconded by Mr. Hall,

Ordered, That the said Bill be read a second time to-morrow.

*Address,
L'Original
Road.*

*On motion of Mr. Petrie, seconded by Mr. Williams,
Resolved, That an humble Address be presented to His
Excellency the Governor General; praying that His
Excellency will be pleased to cause the proper Of-*

*ficer to lay on the table of this House, the Chart of the Road leading from
L'Original to Bytown, referred to in the Report of the Board of Works; to-
gether with the Reports of Survey by Messieurs West and Keefer, and accom-
panying Documents.*

*Ordered, That the said Address be presented to His Excellency the Governor
General, by such Members of this House as are of the Honourable the
Executive Council of this Province.*

MR. G. MACDONELL²⁸ of Dundas, considered that a change is very much re-
quired in the Judiciary of Upper Canada, and this seemed also to be the opin-
ion of the hon. member for the North Riding of York, for he, at the beginning
of the session asked the Ministry if it was their intention to make any al-
teration in the judicature of Upper Canada. This change must have referred
to the Court of Chancery, for there are no complaints about other Courts.
His intention was merely to induce the House to consent to certain resolu-
tions approving of the abolition of the Court of Chancery, and giving equity
jurisdiction to the Court of Queen's Bench. He did not consider himself
competent to introduce a measure on such an important subject, but he sup-
posed if these resolutions were passed, the Ministry would be obliged to pre-
pare such a measure as would meet the wishes of the Country. Two good rea-
sons might be given in favour of the abolition of this Court, the first was,
that Upper Canada flourished for 50 or 60 years without it, and secondly,
that the costs in this Court were enormous and not in accordance with the
circumstances of the country. The Court also admits of too much delay -
suits are before it since its erection and not yet decided. It is said that
this Court was established to provide for the head of it. He considered that
instead of reconstructing it, it should be done away altogether, and thus the
country would be saved a great unnecessary expense. It has struck the minds
of Jurisconsults of England, that the Courts of equity and common Law ought
to be amalgamated, and therefore the views he advocated were not un-British.
In Pennsylvania (sic) the Courts of common Law have an equity jurisdiction.²⁹

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*Court of
Chancery,
(U. C.)*

*Mr. Macdonell of Dundas moved, seconded by Mr. Mac-
donald of Kingston, that this House do now resolve it-
self into a Committee of the whole House, to take into
consideration the expediency of abolishing the Court
of Chancery in Canada West, and other matters connected therewith.*

MR. AT. GEN. DRAPER. - Though it would be useless to waste the time of
the House by going into Committee to consider a proposition, which contains
no well digested plan to meet the admitted defects that exist, and especially
when the hon. member for Dundas, has stated that he does not intend to pro-

ceed further on this subject, but intends to throw the burthen upon other shoulders of preparing and digesting a plan. This he considered as not quite proper. He (Mr. D.) was not in favour of giving the Court of Queen's Bench equity jurisdiction, and this was the opinion of the wisest and most learned lawyers of England. The commission of the ablest advocates of England appointed a few years ago to reverse and consolidate part of the Laws of England, recommended that Courts of equity and common Law should be kept quite distinct; and this recommendation was adopted by the Parliament of Great Britain, for they took away the equity jurisdiction from the Court of exchequer; and even before this the Court of exchequer had separate officers when sitting as a Court of common Law or equity and in the latter case the Chief Justice of this Court sat alone. In England the Judges have never sat together in the equity Courts, and it is proper that it should be so, as they would only embarrass each other, unless we could find two minds exactly constructed alike. The Courts of common Law are obliged to enforce the rule of Law rigidly while the Court of equity moulds the rule to meet all the circumstances of the case; and therefore in the latter case more is left to the discretion of the Judge. He granted to the opponents of this Court that the proceedings before it could not be so quick, as before the other Courts, as all the parties interested or that could be affected by a case, were obliged to be summoned before the Court; but in nine cases out of ten the delays that are complained of take place before the cause is brought before the Judge. If you destroy the Court of Chancery you cannot have a court of appeals, without a very great expense. The object of a satisfactory Court of appeals had engaged his attention and after a great deal of consideration, he found that an independent and proper Court of appeals could not be established, except at an expense, that the funds of the Province would not warrant. We have not the advantage as in England, of having in the other branch of the Legislature retired Chancellors and other eminent lawyers; here we must create an entirely new Court, and give the Judge large salaries so that men of the first talent may be obtained for it. The system of jurisprudence ought to be meddled with very cautiously and not be altered every year, as it shakes confidence in the existing state of things. He considered therefore it would be better to allow this question to stand over until the next session, as nothing could now be done during this session.³⁰

MR. J. S. MACDONALD of Glengarry, could readily understand the zeal of the hon. member for Dundas in involving an expression of feeling against the Court of Chancery; that Court did not possess the confidence of either the suitor or the lawyer; the public suffered greatly from it, such was the delay and expense attendant upon its proceedings; he (Mr. McD.) was himself one of the sufferers; it was known that eminent lawyers had left the Civil Courts altogether to practise in the Court of Chancery, so lucrative did the constant delays render the practice there; he would also say that there was a diversity of opinion as to whether such a tribunal was suited to the circumstances of the country; when it was first established many thought the country was yet too new; he certainly thought it too much calculated to induce litigation, a party fancying he had a case went into it, and such were the facilities of protracting that it ordinarily took two or three years before a decision was arrived at; he (Mr. McD.) knew a case in which a man who was

found too poor to execute a judgment of the Civil Court against him contrived, by the advice of a cunning lawyer, to file a bill in Chancery and thereby held a farm for three years, and put the proprietor to £180 expense. He thought it would be better to pension the person now at the head of the Chancery Court and to abolish the Court for two or three years, in which time some better arrangement might be come to respecting equity proceedings, or a suitable person found to conduct the present establishment; it was really distressing (sic) to see that a person of the learned Attorney General West's talent and ingenuity had not ere this, found a remedy for the great evil complained of; he (Mr. McD.) would support the motion with the hope that it would arouse the Administration, and that by the next meeting of Parliament something would be prepared for the relief of the country.³¹

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The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Cauchon, Chabot, Chauveau, Cummings, DeWitt, Drummond, Foster, Guillet, Hall, Jessup, Lantier, Leslie, Macdonald of GLENGARY, Macdonald of FINGERTON, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Méthot, Monro, Nelson, Price, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of NEW-WORTH, Stewart of BYTOWN, Watts, and Williams.--(27.)

NAYS.

Baldwin, Berthelot, Boulton, Cayley, Daly, DeBleury, Attorney General Draper, Duggan, Ermatinger, Gowan, LeMoine, Moffatt, Morin, Papineau, Patrie, Solicitor General Sherwood, Attorney General Smith, Taché, Solicitor General Taschereau, and Viger.--(20.)

*So it was carried in the affirmative,
And the House accordingly resolved itself into the said Committee.
Mr. Duggan took the Chair of the Committee,*

MR. G. MACDONELL of Dundas, said he only desired to obtain an expression of feeling from the House, and that he thought, would be sufficiently given by the adoption of the resolutions he was about to submit; he had sufficient confidence in the Ministry to rely upon their bringing forward a remedial measure at an early period.³²

MR. BALDWIN could not have believed after hearing the excellent reasoning of the hon. and learned Attorney General West that the motion to go into Committee would be carried, but now that the House was in Committee he should like to know what measure of redress the hon. and learned mover had to submit; he (Mr. B.) took it that the adoption of the motion amounted to a vote of want of confidence in the honesty or industry of the Ministry, and therefore should those who carried that vote be prepared with the remedy which they pronounced (sic) the Government unfit or unwilling to introduce; he would recommend that the hon. member for Dundas be allowed to try his hand at the duties of the Attorney General West; (laughter) he (the hon. member for Dundas) had heard reasons against the course he proposed which ought to be satisfactory to any one understanding the subject, and yet did he press,

and carry, his motion, which certainly looked like the declaration towards the leader of the administration. "I am more fit than you for the place you hold;" the hon. and learned member should, then, take the Government into his own hands, he had a majority of seven, which was not to be despised as things go, and the country should forthwith have the benefit of his length, breadth, and depth (much laughter). Seriously, however, he thought parties underrated the importance of a Court of Chancery; too much had been said of delay and expense; it had been clearly shewn by the learned Attorney General West that a suit in Chancery must necessarily be more tedious than one in a Court of Civil Law from the necessity which so often arises of bringing up additional parties and amending the bill; this caused what was called delay, but which was really a necessary and unavoidable extension of time. With regard to expense he admitted there was much room for improvement, but it was not possible to reduce it to that of proceedings in the Courts of Law; a suit in equity embraced as much as two or three suits at Law, the rights of a variety of parties were decided upon, whereas in a Court of law each of these parties should institute a separate suit; it was therefore not to be expected that equity suits could be disposed of with the same expedition or at the same cost as those of the Law Courts. At the same time a great deal might be done towards improving the practice and lessening the expense in such proceedings as bills to foreclose, bills to redeem, and bills of discovery, but with regard to business involving a complication of interests, whether in one Court or the other, delay and heavy expense could not be avoided. After some further remarks upon the judiciary generally of Upper Canada, and especially upon a change in the Court of appeals the hon. member concluded by expressing a hope that between this and next Session something would be done to remedy the several evils complained of.³³

MR. G. MACDONELL of Dundas said the hon. member for the Fourth Riding had affected to be greatly surprised that he (Mr. McD.) should press his views in that House independently of the wish of the Hon. Attorney General West; he (Mr. McD) thought it equally surprising that the hon. and learned member for the Fourth Riding should, all at once, exhibit such a change of feeling towards his hon. and learned opponent on the Treasury Benches; but he (Mr. McD.) supposed that some further secret correspondence would soon explain the nature and extent of the startling alliance. (Laughter.) He had been twitted with assuming to be fit for the place of Attorney General West, but he would tell the hon. member for the Fourth Riding that if he (Mr. M'D.) were not fit for the place others in the country were, of whom, perhaps, the people were then thinking; the present holder of the office had no lease of it, nor did it follow that the hon. member for the Fourth Riding would be his successor. The hon. member said that he thought sufficient ((ground)) ... ((had)) been attained for the present in the strong feeling against the Court, that had been evinced on both sides of the House. He moved that the committee rise, report progress, and ask leave to sit again on Wednesday next.³⁴

MR. SOL. GEN. SHERWOOD was opposed to the question being brought before the House again in the time proposed in the last motion, he gave the hon. mover credit for the best intentions but the question was really too important to be treated in such a way; a Committee of enquiry should be appointed

and some well matured plan submitted; it was the first time he had ever heard of an attempt to sweep away an institution by a mere vote without enquiry or deliberation.³⁵

MR. G. MACDONELL of Dundas, wished to give the Committee time to consider the resolutions; it was evident from the expression of feeling that had been obtained that the Committee was favorable to some action against the Court, and his object in moving a postponement was that the course to be pursued might be duly considered.³⁶

MR. PRICE had not had the benefit of hearing either the speech of the hon. member for Dundas in moving the House into Committee, or that of the Hon. Attorney General West in resisting the motion, and his (Mr. P.'s) impression in voting in favour of the motion was that it merely invoked an expression of opinion respecting the Court of Chancery so that the Government would see the necessity of taking early action towards correcting the abuses of that Court which really amounted to a crying evil; the proceedings had in it were satisfactory neither to the plaintiff nor the defendant, to lawyer or litigant.³⁷

MR. BALDWIN objected to the House pledging itself to general resolutions of the details of which nothing was yet known.³⁸

MR. BOULTON considered the Court of Chancery a nuisance to the country and would be prepared at the proper time to assist in placing it on a proper footing, but he thought it was then too late in the Session to consider the subject.³⁹

MR. AT. GEN. DRAPER did not see how the House would be better prepared to consider the resolutions on Wednesday next than it was then, if hon. members intended to press the resolutions this Session they ought to act at once; if the Committee agreed to rise without further proceeding he would now know how to view the matter, he would certainly feel embarrassed.⁴⁰

MR. J. S. MACDONALD of Glengarry, believed his hon. and learned friend from Dundas had gained his present object in obtaining from both sides of the House a strong declaration of opinion against the Court; and he thought it would be proper to grant further time to introduce the present or other resolutions as might be determined upon.⁴¹

MR. HALL was prepared to abolish the Court of Chancery and to justify his vote before any portion of the people of the country; he considered the Court a curse to the country; why, if Upper Canada were not chained to old customs and usages, could she not have the advantage of the mode of proceeding in the Courts of Lower Canada, where an object was attained in a few days and by the most simple means which, in Upper Canada, required the writing of volumes before it could be put in course of decision. He was aware of the difficulty of amending the Court, and thought it would be better to abolish it for two or three years, in which time some proper arrangement might be determined upon.⁴²

MR. ERMATINGER thought that what had been done was enough for the present; it would be too much to abolish the Court at once.⁴³

Some two or three divisions ((took place)) upon the question of the Committee rising, and amendments thereto⁴⁴.

MR. MONRO moved to the effect that abolishing the Court would be satisfactory to the country.⁴⁵

MR. AT. GEN. DRAPER warmly appealed to the House against that motion, and warned hon. members on his side, that if it were carried, they should take the consequences.⁴⁶

MR. G. MACDONELL, of Dundas "We will press it, we want to wake you up".⁴⁷

A division then took place, when the motion was lost by 25 to 19.⁴⁸

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and after some time spent therein,

Mr. Speaker resumed the Chair.

Clergy
Reserves.

According to Order, the House resumed the consideration of a motion made on the nineteenth instant, to wit, "That this House doth concur in the Address to Her Majesty, as reported by the Select Committee to which was referred the various Petitions relative to the Clergy Reserves," and also of the motion of amendment thereto, to wit: "That the paragraph in the said Address beginning with the words 'second, We beg permission,' and ending with the words 'grave discontent,' be struck out."

The question having been put on the motion of amendment, it was agreed to by the House.⁴⁹

MR. AT. GEN. DRAPER⁵⁰ would resume as briefly as possible the observations he had commenced some days ago, contenting himself with replying to some of the arguments made use of by hon. mem. who were opposed to the address. It had been remarked incidentally, that if the Church Society got the management of these lands in their own hands, they would establish a tenantry on them, instead of selling them to free holders. Well, even if that were the case, he could see no material objection to it; as far as the public was concerned, all that was required from the Society was, that these lands should be occupied, and the revenue increased by the occupants. It was a matter of the most perfect indifference whether the lands were held in fee simple or otherwise, so that no impediment was offered to the advance of local interests. However, as that was a minor point, he would leave it in order to make some observations as to the extent of these Clergy Reserves. At present there are not more than fourteen hundred thousand acres of these Reserves in Upper Canada, not in a block, but scattered over every part of ... that section of the Province, and as the portion claimed by the Church Society amounted to four thousand acres, he could not see that even supposing they did not sell them, any great evil would arise, and for this reason, that the lands were not in block, but scattered over every part of the Province, and consequently even if they were held back, the advancement of local interests would not be in ... any degree retarded. He would not go at length into the question, but would say that as long as these Reserves were in the management of the Government, they would cause a great deal of difficulty and inconvenience, and considered that it was for the advantage of the Church

itself to have the management of its funds in its own hands. He did not mean to assert, nor even imagine that they would be better managed, or worse managed by the Government, but by the constitution of the Province, there being no connection between the Church and State, he would wish to see the Government relieved entirely from the inconvenience of managing these Reserves. With regard to the address itself, he objected to several points in it, and would be very sorry to vote for this motion, if by doing so, he pledged himself to every proposition that the address contained. But he would vote for it on these grounds; first because he considered it necessary to give every church such support, either in lands or money as to put it out of the necessity of mere voluntary subscription; and secondly, in order to divest the Provincial Government of the ungrateful task of managing these lands and placing them in the hands of the church for whose support they were intended under such restrictions as the Government thought fit to impose.⁵¹

MR. ROBINSON was about to explain during the speech of the hon. Attorney General, but at his desire he had postponed it, at his request till he had finished. He (Mr. Robinson) did not mean to say that the charges did in reality amount to 40 per cent, it was bad enough that they amounted to 25 per cent. He would most solemnly protest against the sales being conducted in the manner that they were now. He was aware of cases in which the lands were valued and sold for 18s 9d, when they were worth at least 25s. It was against that that he protested. But the Church of England is not the only loser, the Kirk of Scotland are as much interested. The hon. member for Kingston, has asked for a grant, which has been refused, if he had asked for a portion of the unappropriated lands he would have got it. In Toronto alone he was aware that one agent got a sum of £400 in three months, which was more than any merchant could give to a collector when all the debts were good, and yet those who complain of this state of things are set down, as bigots. It was to prevent a spoliation year after year that this address was introduced.⁵²

MR. HALL, the hon. member got up to make an explanation, but he has managed to make a speech. The learned Attorney General stated that he did not vote for it on the question of £ s. d.; in that he differs from the hon. mover of the address and his supporters, for he moved and they supported it, simply as a matter of £ s. and d., and it was for this reason solely that the question was mooted. The learned Attorney General deemed this an unworthy motive, and has repudiated ((it)) in a speech of about two hours in length, and has in the end left us in a state of suspense, not knowing how he intends to vote on the question. The only argument that had any force in it was that there was no Church and State here, and that therefore the Government ought not to have the controul of the funds belonging to the Church. But still it was unwise to allow lands like these to go into the hands of any corporation, especially a clerical one. If the expense of management was too much, why not adopt some measures for having it lowered? He thought that the Government ought to be able to sell the lands at as little expense as any corporation could. It was said that such restrictions might be imposed on them as this House thought fit; that might be well enough, but he thought that it would be far easier for the Government to manage the lands

while in their own hands, than to watch them while in the hands of the Church Society. The hon. member for Leeds gave in his opinion very correct reasons for the opposition made to the address. First, in reference to the division; in answer to this, it had been said that lots would be drawn, he would ask whether this was consistent with the Reverend gentlemen, he thought that they might as well take up the dice box, and let the division of the lands depend on a throw of the dice. Was this a way to dispose of lands? He conceived that even this plan would never give satisfaction. The second objection was that the⁵³ Church would not sell these lands, but would by some means or other evade the sale⁵⁴, and thus create an inferior body of yeomanry. So this address answered that the lands would be sold within such a limited number of years as the Government might direct. But as had been well said, would any Government refuse to lengthen the time if they were asked, he was sure that they would not, so that in truth not one acre would ever be sold. He was sure that if this address was passed, it would be the most unpopular measure that ever was adopted, and one that in Upper Canada at least would be most fatal to the popularity of the hon. members.⁵⁵

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Mr. Gowan then moved in amendment to the main motion, seconded by Mr. Petrie, that all the words after "that" in the said motion be struck out, and the following substituted, "An humble Address be presented to His Excellency the Governor General, representing to His Excellency the great expense and delays which have hitherto occurred in the sale and management of the Clergy Reserve Lands, and expressing to His Excellency the anxious desire of this House that the said Lands should be disposed of to such settlers as desire to become the purchasers thereof, at their fair and reasonable value, and at the least possible delay, compatible with the equitable rights of the occupants and the interests of the Trust, and that in such sale and management the lowest possible expense should be incurred."

MR. GOWAN: This amendment saves all the rights mentioned by the hon. member for Simcoe, so that the Clergy Reserves will be held sacred to the purposes for which they were given. If the House wish to establish a system of tenantry, they will vote against the amendment. The hon. member for Simcoe complained of the amount that was given to the agent for the collecting of the rents of the lands; he (Mr. G.) would state that the Lord Bishop and the Clergy Corporation were alone responsible for this, for they allowed this to him when he was their agent.⁵⁶

MR. MOFFATT considered that he ought not to give a silent vote. He considered that some of the members have imagined difficulties that will not occur. The valuations of these lands have been unsatisfactorily made, and the suspension of the sales proves that the Government were of that opinion. If he thought that the passing of this address would reopen the question he would not vote for it, but he did not think it would have that effect; and if an agitation is got up, it will not be the fault of the Church of England. They did not call a single public meeting on this subject.⁵⁷

From several of the members - "They dare not, as they knew they would be out-voted."⁵⁸

MR. MOFFATT: He considered that there would be no necessity for the Legislature to interfere, as the Governor in council could make the necessary regulations.⁵⁹

MR. AT. GEN. SMITH said he must oppose the address as he considered it was opening up the question of the Clergy Reserves, and likely to renew an agitation, if pursued in, that had happily died away. Under other circumstances he might have voted for it, but he was convinced that it would create as great an agitation as he had referred to, in short if for no other reason he would oppose it, because no scheme for the partition of these reserves would give satisfaction to the public, because it would be contrary to the settlement made by the Imperial Government, because it would prevent the settlement of the Province, at least so far as regarded these lands, and place that Church in a position to evade any restrictions the Government might impose. The address went on to say thst (sic) if those reserves were placed in the hands of the Church, they would consent to any restrictions the Government might choose to impose. Now he was of opinion that no enactments they might pass would be of any avail. What redress could a poor farmer or squatter obtain against that? Would they tell him that he would obtain redress in the Court of Chancery? Or would it be supposed that any poor man would dare to contest a point with the Church? Some hon. members pretend to say that the expences of managing thse (sic) Reserves by the Government are very great, and that if sent into the hands of the Church Society those expences would be diminished. But it was not on such grounds that he would ever support an address of that nature, and he would say at once that he would oppose it in order to prevent the reopening of a question that had caused the most alarming agitation in Canada, and which, if now agitated, afresh would be felt still more severely.⁶⁰

MR. MCCONNELL was in favour of the amendment, and opposed to the address. And he considered that nineteen-twentieths of the people of the Eastern Townships were of the same opinion. He was opposed to the system of tenantry that the Church Society sought to introduce; it is not suitable to this country.⁶¹

MR. BOULTON considered that the management of these lands ought to be taken out of the hands of the Government, as they might use them for political purposes, and make political capital out of them, as the late Ministry did.⁶²

No, no, from the opposition.⁶³

MR. J. S. MACDONALD, of Glengarry. - The passing of this address will cause more agitation than anything that has occurred since the rebellion. He (Mr. M'D.) was in favour of applying the proceeds of these lands for education. Why is it that the Church of England is the only denomination that is applying for these lands? Is it because they find themselves unable to compete on fair terms with the other bodies? In his county there is a good deal of these lands, and if they go into the hands of the Church Society, he would tell them that their agents had better not appear in his county, as there would be a sort of rebellion, and they would be treated in a manner that would not be agreeable.⁶⁴

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The question having been put upon the said motion of amendment, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Christie, Cummings, Daly, Desaulniers, DeWitt, Drummond, Gowan, Guillet, Hall, Jessup, LaFontaine, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonald of KILPATRICK, Macdonell of STORMONT, M'Connell, Méthot, Morin, Nelson, Painchaud, Peirce, Price, Seymour, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Taché, Solicitor General Taschereau, Viger, and Williams.--(37.)

NAYS.

Boulton, Cayley, DeBleury, Attorney General Draper, Duggan, Erma-tinger, Forster, Macdonell of DUNDAS, Moffatt, Monro, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, and Watts.--(14.)

So it was carried in the affirmative.

MR. SOL., GEN. SHERWOOD. - Since the address has passed he would desire to make it as perfect as possible. He found in the report of a member of the Government, the Receiver General and of Mr. Henderson, a person whose business capabilities no one could deny, that they considered six per centum on the amount of the sales amply sufficient to pay the expenses. He would ask hon. members since they refused to allow the Church of England to have the management of the property, to limit at least the amount of the expense to six per cent. He believed that it could be done for two and a half per cent.⁶⁵

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The Honourable Mr. Solicitor General Sherwood then moved in amendment to the main motion, as amended, seconded by Mr. M'Connell, that the following words be added thereto, after the word "expense," where it secondly occurs; "and not exceeding six per centum on the amount of Sales or Rents."

MR. BALDWIN had no particular objection to the motion, but it appeared to be an indirect mode to get done what he could not get done directly. He believed that the Government would sell the property at as little expense as they possibly could, it was no interest of theirs to squander the property in the sales and expense of collecting. But suppose that it cost more, from what source is the balance to come; he thought that the matter could only produce embarrassment; he hoped that the Government would not be cramped in such a manner.⁶⁶

MR. MOFFATT. - This motion is made for the purpose of preventing agitation. If you could shew him what the real cost was, he would place it at that; but as it could not be done, and as he believed that the sales could be conducted for six per cent he would vote for the motion.⁶⁷

MR. HALL. - The person who has moved this motion, and the supporters

of it, ought to be able to produce evidence to support it. We ought not to be called on to support a negative proposition. Supposing that the expenses should amount to more than six per cent, from what fund is the balance to be made up. Is the Province to bear it?⁶⁸

MR. SOL. GEN. SHERWOOD did not make this motion with any desire to obstruct the Government, he was sure his hon. friends could acquit him of any such desire. This was merely an address to the head of the Government, and if the expenses cannot be brought within six per cent, they will come down to this House and state the fact. This House cannot legislate, but we can request them. He said that as the question was now finally settled, he for one, would never disturb it again. He would again state that he did not do it with any intention to censure the Government, but as had been stated, they had not a lease of their seats for life, their seats may be occupied by another Government who have already proved themselves to be extravagant.⁶⁹

MR. CAUCHON then spoke in French.⁷⁰

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The question having been put upon the said motion of amendment, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Boulton, Cayley, Cummings, Duggan, Ermatinger, Foster, Gowen, Jessup, Macdonald of GLENGARRY, Macdonald of KINGSTON, M'Connell, Moffatt, Morin, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, of WENTWORTH, and Watts.--(19.)

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NAYS.

Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Christie, Daly, LeBleury, Desaulniers, DeWitt, Attorney General Draper, Drummond, Gaillet, Hall, LaFontaine, Laterrière, Leslie, Macdonell of STORMONT, Méthot, Morin, Nelson, Papineau, Petrie, Price, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Taché, Solicitor General Taschereau, Viger and Williams.--(31.)

So it passed in the negative.

The question being then put on the main motion, as amended, it was agreed to by the House, and

Resolved, That an humble Address be presented to His Excellency, the Governor General, representing to His Excellency the great expense and delays which have hitherto occurred in the sale and management of the Clergy Reserve Lands, and expressing to His Excellency the anxious desire of this House that the said Lands should be disposed of to such settlers as desire to become the purchasers thereof, at their fair and reasonable value, and at the least possible delay, compatible with the equitable rights of the occupants and the interest of the Trust, and that in such sale and management the lowest possible expense should be incurred.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Returns to

The Honourable Mr. Daly, one of Her Majesty's Exec-

Addresses.

utive Council, laid before the House, by command of His Excellency, the Governor General,

Return to an Address of the Legislative Assembly to His Excellency, the Governor General, praying that His Excellency will cause to be laid before the House, "Copies of any Correspondence between the present Lessee of the St. Maurice Forges and the Provincial Government, on the subject of the contemplated sale of said Forges, and Copies of any Petition from the work people at the said Forges that may have been presented to the Government."

Copy.

Three Rivers, 27th December, 1845.

St. Maurice
Forges.

SIR,

I was much surprised by a perusal of an advertisement in the public papers from the Crown Land Office, offering the St. Maurice Iron Works for sale under such limits and conditions as to annihilate entirely the chance of carrying on that valuable Provincial Establishment, the only Iron Manufactory of the kind, at a time too when the United Legislature have shown such an anxiety to encourage Manufactories of every description. Fully intending to have nothing more to say to the Works after next October, I did entertain a hope that the four or five hundred souls now residing there would still have found employment from a new tenant, and I particularly wish to call the attention of His Excellency, the Administrator of the Government, to the destitute condition these people will be left in, most of whom have been brought up to this particular branch of trade, on the verge of a severe season.

I am induced to call the attention of His Excellency to the advertisement from the Crown Land Office, as it does not appear to me to be founded on the terms and conditions on which the Works were to be taken off my hands by a new Lessee. The Furnace and other works were renewed by me during the last summer at a very heavy expense, with the understanding that I was to be indemnified for so doing. I have not only secured Ore to carry on the works to the expiration of my Lease, when the Furnace will be in full blast, but have collected and am about drawing some 10,000 hhds. of Ore to enable the new Tenant to carry on the Furnace, which if not done this winter will render it impossible, thus rendering the expense gone to in building the new Furnace of no advantage. The expense of bringing this home would be some £1,250 to £1,500, and as I am convinced the Works cannot be carried on under the present conditions of sale, I cannot think of increasing my claim to indemnification without further authority from Government, to whom I look for the expense already gone to.

I have also to complain of being allowed only fifteen days to remove by Property, which, on the 1st October will amount to several thousands of pounds; the time granted, will, I trust, be extended.

I have &c.,

(Signed,)

M^{rs}. BELL.

The Honourable D. DALY,
Provincial Secretary.
&c. &c. &c.

Three Rivers,
28th December, 1845.

SIR,

In my letter of yesterday, relative to the Sale of the Iron Works of St. Maurice, I did not state that the Ore collected last summer and intended to be drawn home this winter, to provide for the carrying on the Furnace after October next, upwards of 10,000 hhds. lie on the Swamps on the Reserve, on the other side of the River St. Maurice.

I remain &c.,
(Signed,)

Mw. BELL.

Honourable D. DALY,
Provincial Secretary.

St. Maurice FORGES.
24th January, 1846.

SIR,

At the request of the work people employed at the St. Maurice Forges, I take the liberty of handing you the accompanying Petition, and beg you will take a favorable opportunity to present the same to the Administrator of the Government.

I have, &c.,
(Signed,)

TIMOTHY LAMB.

Honourable D. DALY,
&c. &c. &c.

To His Excellency the Right Honourable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, G. C. B., Administrator of the Government of Canada, &c. &c. &c.

The most humble Petition of the work people residing at the St. Maurice Forges, under the Honourable Matthew Bell, actual possessor of the said Forges, and employed in different ways in the working of the said Forges, &c., humbly represents:

That on the 1st of October, 1760, instructions from General Amherst, through General Burton, were communicated by a Mr. J. Bruyere, to a Mr. Courval at the said Forges of St. Maurice, praying him to retain on the same footing as heretofore, the workmen whose names followed the said instructions.

That the said workmen were named Delorme, Robichon, Marchant, Humblot, Serreau, Tassé, Michelin, Belisle, and some others.

That the large number of your Petitioners are still the descendants of the above mentioned persons, and some of them by their wives, exercising the different trades they have learned from their fathers, and like them, hoped to live and die in a state of life which seemed hereditary in their families.

That the other Petitioners are almost all, without exception, the children and grand children of fathers and grandfathers who formerly, that is, since 1760, established themselves at the said Forges, and like them were employed in the different trades, necessary for the working of the said Forges.

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That all your Petitioners, residing at the said Forges, contended with their fate, believing their future destiny to be at least as happy as their fathers had been, foresaw no change in their present condition when they learned with the greatest surprise that the said Forges of St. Maurice were to be sold in the course of next summer.

That the happiness which your humble Petitioners, their fathers and grandfathers, have enjoyed since they have resided at the said Forges, has been constant and of long duration; your Petitioners can affirm this with much greater advantage, as the generality of the families who first established themselves, and of those who have established themselves at the said Forges since 1760, have never thought of leaving the Forges to follow another course of life.

That it is therefore with grief and regret that all your humble Petitioners see the time approaching when that fine property, the only one of the kind in the country, the place of their birth and whereon their affections are concentrates, chosen by their grandfathers, their fathers and themselves, as their perpetual residence, will probably cease to exist as Forges, and your Petitioners will be obliged to abandon the trades which they respectively exercised, and to leave the place with their families, to seek elsewhere for other means of existence in the midst of summer, a season which does not offer the advantages of a favourable engagement.

Wherefore all your humble Petitioners, fully confident in the generosity of Her Majesty's Government on this Province, pray Your Excellency to be pleased to take into consideration the allegations of the present Petition, and to grant them, in circumstances so painful, and which cause them so much anxiety, all the protection of the Government, so that on retiring they may not be left exposed to the wants and vicissitudes to which workmen of Manufactories who are deprived of the exercise of their trades, when the Manufactories to which they are attached, cease to exist, are always subject. Your humble Petitioners authorize six from among them to sign the present Petition, and to transmit it to your Excellency, and your humble Petitioners will ever pray, &c. &c. &c.

(Signed,)

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JOSEPH MICHELIN.

JOSEPH TERREAU.

EDOUARD TASSE.

RENE IMBLO.

JOSEPH ROBICHON.

JEAN BTE. MICHELIN.

FORGES OF St. Maurice,
17th Januray, 1846.

We do certify that the Signers of the above Petition have made their marks of a cross, of their own consent, in our presence, and in presence of a great many others who approved of and showed the same desire as the Petitioners.

(Signed,)

TIMOTHY LAMB,

F. LOTTINVILLE, N. P.

I hereby certify that the workmen, their wives and children, now residing at this establishment, and that depend entirely on the continuance of the works for their daily bread, exceed four hundred souls.

(Signed,)

TIMOTHY LAMB,
Chief Overseer of the Establishment.St. Maurice FORGES,
24th January, 1846.

And also,

Lake St. Peter.

Return to an Address of the Legislative Assembly to His Excellency the Governor General; praying that His Excellency will cause to be laid before the House "the following particulars relative to the expenditure of the sum of £58,000, granted by the Act 4th and 5th Victoria, chapter 28, for deepening Lake St. Peter: First, The amount expended in the purchase of Steamers and Dredging and other Machines used upon the said Work. Second, The amount expended in the hiring or leasing of Steamers employed thereat. Third, The amount of all sums paid for labour done, distinguishing the sums paid to Engineers, Superintendents, and Officers in command of Steamers and Dredging Machines, together with the time of their employment, the remuneration paid to each, and the names of the parties so employed."

(For the said Return see Appendix F.P.)

Board of Works Bill.

The Order of the Day for the House in Committee, on the Bill to amend the Law constituting the Board of Works, being read;

The House accordingly resolved in itself into the said Committee.

Mr. Cauchon took the Chair of the Committee,⁷¹

MR. INSP. GEN. CAYLEY said, it would be remembered that a Board of Works was established in Canada in 1839⁷², before the Union⁷³, which was remodelled⁷⁴ by Lord Sydenham⁷⁵ in 1841, at which time an Act was passed⁷⁶. Executive Councillors were appointed to constitute part of the Board for the reason he supposed that deriving a large salary from their other offices, no further remuneration would be required. The act as amended went into operation in 1844⁷⁷, authorizing the Government to raise a loan of a million and a half; this was to be expended under the direction of the Board⁷⁸, and had been of the greatest benefit. The only clause that was any protection to the Province was the 15th by which no contract was to be entered into, unless it was known⁷⁹ that it could be completed at the sum estimated, previously to its being undertaken.⁸⁰ The Board of Works went into full and active operation and the Province had a right to suppose that the provisions of that clause were attended to.⁸¹ There was no idea of anything being wrong until the investigation which took place at the proceedings relative to the Beauharnois Canal. After that time every thing went on smoothly again⁸² till the close of 1844,⁸³ when numerous complaints from Contractors and other parties were presented to the House⁸⁴, ((and)) an enquiry was moved for. This, however, was overruled by the Government and they undertook the enquiry,⁸⁵ a commission was appointed to investigate the whole business,⁸⁶ and it was commenced in the month of August⁸⁷; as that report was before the House he would not allude to it further, he would remark, however, that⁸⁸ in the month of June or July previously, Mr. Power the Engineer on the Welland Canal stated that the sum of £220,000 more was required. The appropriation was at this time expended. The Government called upon the Board of Works for an explanation.⁸⁹

Upon that it became evident that the Board was entirely unable to afford the information desired, and it was, in fact, ascertained that it had not adhered in any way to the clause in the act to which he had alluded, and which was intended to prevent the Province from being involved in works of too great magnitude. It had been found, in fact, that the present system instead of being economical, was a very expensive one⁹⁰. No precaution had been taken and they have thus got into debt. He believed that the whole error was in the constitution of the Board.⁹¹ The bill that he had the honour to submit was intended to give the head of the Board a seat in the House, so as to subject the Board to the efficient control of the Legislature.⁹² The appointing of Executive Councillors was a useless experiment, as from their other duties, they were unable to give that attention to the concerns of the board which was required, and thus the whole management came into the hands of the Chairman and he had to see with his eyes. He did not however intend to impugn the motives which may have led him to adopt the measure which he did. The bill provides for the expunging of the members of the Executive being part of the Board, and to appoint a Board of Commissioners under the controul of the Executive.⁹³

MR. BALDWIN asked if any of the commissioners were to have a seat in this House. If not there would still be no person to answer any questions that might be put in the House.⁹⁴

MR. INSP. GEN. CAYLEY stated that one was to have a seat in this House, but that he was not to be a minister. He then referred to Mr. Killaly not being allowed to retain a seat in the House.⁹⁵

MR. BALDWIN, the difficulty then was, that he was the scientific man, and his attendance was required elsewhere. He conceived that the person who was to have a seat in this House ought to be the political man, and not the scientific or practical man.⁹⁶

MR. MOFFATT ((asked a question.))⁹⁷

MR. INSP. GEN. CAYLEY stated, that the scientific man would not be in the House. There was to be a Chairman who would be politically responsible for the acts of the Board, who would not be the practical engineer.⁹⁸

MR. DRUMMOND regretted that a measure of this importance had been brought forward at this late period of the session, and at a time when that consideration could not be given to it that it deserved, he thought that it ought to lay over to the next session. (No! no!) It ought to be before the public. One objection that struck him very forcibly was that its corporate powers were destroyed, what then becomes of its liabilities, what will then become of the law proceedings in which the board is engaged both as plaintiff and defendant, the act does not provide for them.⁹⁹ It would be a great inconvenience to the public to be deprived of the privilege of suing the Board, and ... ((he)) believed the substitution of arbitrators, named by the Board, would not be a sufficient security to those who had claims.¹⁰⁰ He did not think that its character as a corporation ought to be destroyed, it was that as much as any thing that kept them in check, he could (sic) like to hear the reasons why that it (sic) to be destroyed perhaps the framer of the bill would inform the House.¹⁰¹

MR. AT. GEN. DRAPER thought that that was one of the very evils of the system.¹⁰² Though the Board of Works might, under the present law, be sued, yet, after a judgment was obtained, the plaintiff was still unable to get execution, because it was clear he could not seize the Public Works, and as to any money in the hands of the Board,¹⁰³ ((it)) would ((not)) be seized¹⁰⁴, ((as)) it was equally evident that it must belong, not to the Board, but to the public.¹⁰⁵ He had made that objection in court, and although the case was not as yet decided, yet he spoke advisedly when he said that he would be sustained.¹⁰⁶

MR. AT. GEN. SMITH also stated, that in the State of New York it had been found necessary to appoint public arbitrators, instead of permitting them to be chosen by the parties interested, in order to prevent the lavish verdicts which were too frequently given against government in favour of private persons.¹⁰⁷

MR. MOFFATT, considered that one half of the difficulties that have occurred in connection with the Board of Works, have arisen in consequence of the Chairman of that Board having had formerly, a seat in this House. - He (Mr. M.) was in 1842 a member of the committee which was appointed to examine into the reasons that induced the Board of Works to place the Beauharnois Canal to the south instead of the north shore of the St. Lawrence, and when they examined the Chairman they were surprised to find that there was no Board in reality; that there never had been any formal meeting of this Board and that there was no minute of its proceedings. If this Board is not sufficiently under the control of the Executive, he considered it was the duty of the Executive, to have brought the subject before the House, and to have passed a bill giving them the control that was necessary, but he protested against bringing the Chairman into this House, and thereby forcing him to waste his time here, instead of attending to his appropriate duties. The case brought before the House, by the hon. member opposite, is certainly a most extraordinary one, and ought to be examined.¹⁰⁸

MR. GOWAN, entirely concurred in all the remarks of the hon. member for Montreal, except those that referred to the Chairman being in this House: He (Mr. G.) considered that he ought to be in this House, in order that he might answer immediately and satisfactorily such questions in relation to the public works, as might be propounded to him by the members. The Ministers are seriously to blame for not having made an alteration in the constitution of the Board of Works before, when there had been so many heavy and serious charges made against this Board. And no charge could be greater than that mentioned by the hon. members (sic) for Montreal, that they kept ... no re((gular)) minutes of their proceedings.¹⁰⁹

MR. ROBINSON. - They do now.¹¹⁰

MR. BALDWIN entirely concurred with the Attorney General West, that the chairman of the Board ought to be a member of the House, so that he might be able to answer all questions concerning the public Works with despatch. The practical man of the Board, the Engineer, certainly ought not to be in this House. The proposition to amend the Board of Works act had been considered by the late Ministry in 1843, and had it not been for their resignation they would have come before the House, in two or three weeks with a

bill to amend this act. He stated this to prove that this important subject had not escaped their attention.¹¹¹

MR. ROBINSON, was sorry that his hon. friend from North Lincoln was not present, this was a subject in which he took great interest. He thought that a great deal of the errors (sic), was in the appointment of incompetent persons to have charge of the books. The engineer on the Welland Canal, had never had charge of any work before being placed there, and altho' he believed him to be honest, and to do the best he was able, yet he had not confidence in his own abilities. He thought that the plan pursued in the State of New York might be advantageously introduced here, placing one Commissioner on each section of the work, who had the sole control and management, and not to refer to the Commissioners before anything could be done. Here not the smallest job could be done, without a reference first to Montreal. As to the corporate powers, unless they could be made available they were useless. He knew of cases in which extra work had been done, over and above what was contracted for, and the engineers then gave their own price, and the Board could not be sued, because there had been no contract under the seal of the Board.¹¹²

MR. ERMATINGER could not see any difference between the proposed Commissioners and the present Board, unless one was to have a seat in this House. He thought that there ought to be a responsible Minister in this House belonging to the Board of Works, and he should not be the practical and efficient man.¹¹³

MR. DEWITT, the cry from one end of the country to the other, was about the Board of Works, that they were expending money where it was never granted and not expending it where it was granted, and are we with this fact before us, and on the very verge of Bankruptcy about to appoint another Board?¹¹⁴

A conversation here ensued in which MESSRS. GOWAN, LAFONTAINE, DRUMMOND, AYLWIN, SMITH, MOFFATT, SOL. GEN. SHERWOOD and DR. LATERRIERE took part.¹¹⁵

Several clauses were then passed¹¹⁶.

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

*Orders Post-
poned.*

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

*Then, on motion of the Honourable Mr. Viger, seconded by Mr. Monro.
The House adjourned.*

APPENDIX, 22 MAY 1846.

((NOTICE OF MOTION RE: JESUIT'S ESTATES.))¹¹⁷

MR. INSP. GEN. CAYLEY gave notice that when the House went again into a Committee of Supply, he would move that the proceeds of the Jesuits Estates should be applied to the purposes of General Education in Lower Canada.¹¹⁸

((NOTICE OF MOTION RE: QUEBEC AND HALIFAX RAILROAD.))¹¹⁹

MR. AT. GEN. SMITH gave notice of several resolutions regarding the Quebec and Halifax Railway.¹²⁰

((QUESTION AND ANSWER RE: JUDGE G. M. BOSWELL.))¹²¹

MR. GOWAN ((asked a question.))¹²²

MR. AT. GEN. DRAPER ... said petitions had been received from two persons named Beamish and another named Ryerdon, complaining of the misconduct of G. M. Boswell,¹²³ Esq. one of the Judges in Canada East. The first of these complained of an erroneous judgement (sic). On that subject, being a question of law,¹²⁴ the Government did not consider they had a right to interfere....

The second set forth that the petitioner wrote a letter to Mr. Boswell informing him that he had about eight years previously obtained a judgment against certain parties in the Commissioners' Court, but he had not been able to obtain an execution in consequence of the Clerk having a favorable feeling towards the defendants. That it was his intention to bring a suit for its recovery before the said Judge,¹²⁵ but before doing so, he wrote him a letter submitting the question whether in such a case the Statute of limitation could¹²⁶ in equity be made to apply to a judgment rendered by a Commissioners' Court.¹²⁷ The suit came on, and, notwithstanding the letter, the statute of limitation was pleaded and judgement (sic) given upon that plea.¹²⁸ This and some minor detail of proceeding made up the whole of the complaint, and the Government did not consider it of a sufficiently grave nature to institute any proceedings thereon. The whole question being one of judgment.

The next petition was from a rather celebrated character, well known to gentlemen who had travelled that circuit for his riotous propensities, one Mr. Denis Ryerdon. His complaint was that Mr. Boswell had not appointed him Bailiff in the Court in which he had previously held that appointment. - That was a matter in which the Government had nothing to do; but if he might express an opinion, he was far from blaming Mr. Boswell for not considering Mr. Denis Ryerdon the best qualified individual for the office.¹²⁹

((WITHDRAWN MOTION RE: CANADA - NEW BRUNSWICK BOUNDARY LINE.))¹³⁰

MR. CHRISTIE moved for an address to the Queen on the subject of the Boundary Line between Canada and New Brunswick.¹³¹

The Speaker, SIR A. MACNAB, ((was)) ... about to put the question.¹³²

MR. BALDWIN rose, and stated that he was surprised that on a question like this in which the territorial boundaries of Canada were concerned, the administration should remain silent, not a word being uttered by either of them.¹³³

MR. AT. GEN. DRAPER said that the administration had done every thing that could be done, on their part, and he would with the greatest pleasure concur in an address to Her Majesty, on the subject of the disputed boundary.¹³⁴

MR. BALDWIN, it appeared to him that some explanation was to be expected from the Ministry other than that conveyed in the papers laid before the House. It is a question in which not only private right but public property was concerned. He understood that the expectation of the Attorney General was a failure. It was then proper that this House should know what steps had been taken to bring the matter under the consideration of the Home Government.¹³⁵

MR. AT. GEN. DRAPER, they have claimed lands which he conceived they had no right to.¹³⁶ Toutes les négociations avec le Nouveau-Brunswick ayant été infructueuses,¹³⁷ to substantiate the claims of Canada, all papers and documents have been submitted to the Home Government; and he could state that the matter was now under the serious consideration of the Home Government; and he believed that a speedy settlement of the question might be expected; more he could not say at present than that it was in the hands of the Home Government, for there may be despatches which it would not be convenient for the present to lay before the House. If the hon. member would consent to withdraw the motion for the present, he would join with him in drawing an address.¹³⁸

The motion was then withdrawn ((by)) MR. CHRISTIE.¹³⁹

FOOTNOTES - 22 MAY 1846.

1. BRITISH COLONIST, 26 May 1846, observed: "Sir Allan ((MacNab)) appeared to be quite recovered, and ready to resume his public duties, on the morning of Friday ... the 22nd, with his wonted vigour." LE JOURNAL DE QUEBEC, 26 May 1846, noted: "Vendredi la chambre a siégé jusqu'à près d'une heure de la nuit."
2. The text of this petition can be found in LA MINERVE, 28 May 1846.
3. The debate on this matter was reported by: MIRROR, 22 May 1846, and PILOT, 26 May 1846, in accounts that are identical.
4. MIRROR, 22 May 1846.
5. IBID.
6. IBID.
7. The debate on this motion was reported by: MIRROR, 22 May 1846, and PILOT, 26 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 26 May 1846, and MIRROR, 22 May 1846, in accounts which contain some identical speeches, and some which are completely dissimilar; and LE CANADIEN, 25 May 1846. L'AUREORE, 23 May 1846, noted it. Commentaries appeared in: EXAMINER, 27 May 1846; and L'AUREORE, 23 May 1846.
8. MIRROR, 22 May 1846.
9. IBID.
10. MONTREAL TRANSCRIPT, 26 May 1846.
11. MIRROR, 22 May 1846.
12. IBID.
13. IBID.
14. MONTREAL TRANSCRIPT, 26 May 1846.
15. IBID.
16. IBID.
17. MIRROR, 22 May 1846.
18. The debate on this motion was reported by: MIRROR, 22 May 1846, and PILOT, 26 May 1846, in identical accounts; MONTREAL GAZETTE, 26 May 1846; and MONTREAL TRANSCRIPT, 26 May 1846.
19. MIRROR, 22 May 1846.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. MONTREAL GAZETTE, 26 May 1846.
25. IBID.
26. IBID.
27. IBID.
28. The debate on this matter was reported by: MIRROR, 22 May 1846, and PILOT, 26 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 26 May 1846, noted it. A commentary appeared in PILOT, 26 May 1846.
29. MIRROR, 22 May 1846.
30. IBID.
31. IBID.
32. IBID.
33. IBID.

34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. MONTREAL GAZETTE, 26 May 1846, reported that this motion was "carried unanimously."
50. The debate on this matter was reported by: MIRROR, 22 May 1846, and PILOT, 28 May 1846, in identical accounts; MONTREAL TRANSCRIPT, 26 May 1846; and MONTREAL GAZETTE, 26 May 1846. PILOT, 23 May 1846, noted it. There is a commentary in: L'AUREOLE, 27 May 1846.
51. MIRROR, 22 May 1846.
52. IBID.
53. IBID.
54. MONTREAL GAZETTE, 26 May 1846.
55. MIRROR, 22 May 1846.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. The debate on this matter was reported by: MIRROR, 22 May 1846, and PILOT, 28 May 1846, in identical accounts; and MONTREAL TRANSCRIPT, 26 May 1846.
72. MONTREAL TRANSCRIPT, 26 May 1846.
73. MIRROR, 22 May 1846.
74. MONTREAL TRANSCRIPT, 26 May 1846.
75. MIRROR, 22 May 1846.
76. MONTREAL TRANSCRIPT, 26 May 1846.
77. MIRROR, 22 May 1846.

78. MONTREAL TRANSCRIPT, 26 May 1846.
79. MIRROR, 22 May 1846.
80. MONTREAL TRANSCRIPT, 26 May 1846.
81. MIRROR, 22 May 1846.
82. MONTREAL TRANSCRIPT, 26 May 1846.
83. MIRROR, 22 May 1846.
84. MONTREAL TRANSCRIPT, 26 May 1846.
85. MIRROR, 22 May 1846.
86. MONTREAL TRANSCRIPT, 26 May 1846.
87. MIRROR, 22 May 1846.
88. MONTREAL TRANSCRIPT, 26 May 1846.
89. MIRROR, 22 May 1846.
90. MONTREAL TRANSCRIPT, 26 May 1846.
91. MIRROR, 22 May 1846.
92. MONTREAL TRANSCRIPT, 26 May 1846.
93. MIRROR, 22 May 1846.
94. IBID.
95. IBID.
96. IBID.
97. MONTREAL TRANSCRIPT, 26 May 1846.
98. IBID.
99. MIRROR, 22 May 1846.
100. MONTREAL TRANSCRIPT, 26 May 1846, which reported that Mr. LaFontaine had similar objections.
101. MIRROR, 22 May 1846.
102. IBID.
103. MONTREAL TRANSCRIPT, 26 May 1846.
104. MIRROR, 22 May 1846.
105. MONTREAL TRANSCRIPT, 26 May 1846.
106. MIRROR, 22 May 1846.
107. MONTREAL TRANSCRIPT, 26 May 1846.
108. MIRROR, 22 May 1846.
109. IBID.
110. IBID.
111. IBID.
112. IBID.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. This notice was reported by: MONTREAL TRANSCRIPT, 23 May 1846, LA MINERVE, 25 May 1846, and LE CANADIEN, 25 May 1846, in identical accounts.
118. MONTREAL TRANSCRIPT, 26 May 1846.
119. This notice was reported by: MONTREAL TRANSCRIPT, 26 May 1846, and LE CANADIEN, 25 May 1846, in identical accounts.
120. MONTREAL TRANSCRIPT, 26 May 1846.
121. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 26 May 1846; and MONTREAL GAZETTE, 26 May 1846.
122. MONTREAL GAZETTE, 26 May 1846.

123. IBID.
124. MONTREAL TRANSCRIPT, 26 May 1846.
125. MONTREAL GAZETTE, 26 May 1846.
126. MONTREAL TRANSCRIPT, 26 May 1846.
127. MONTREAL GAZETTE, 26 May 1846.
128. MONTREAL TRANSCRIPT, 26 May 1846.
129. MONTREAL GAZETTE, 26 May 1846.
130. The debate on this withdrawn motion was reported by: MIRROR, 22 May 1846, and PILOT, 26 May 1846, in identical accounts; and LE CANADIEN, 25 May 1846.
131. MIRROR, 22 May 1846.
132. IBID.
133. IBID.
134. IBID.
135. IBID.
136. IBID.
137. LE CANADIEN, 25 May 1846.
138. MIRROR, 22 May 1846.
139. IBID.

SATURDAY, 23 MAY 1846.

11:00 O'CLOCK, A.M.

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Petition laid
on the table.

THE following Petition was brought up and laid on the table.

By the Honourable Mr. LaFontaine,--The Petition of Messieurs Gilmour and Company and others, Merchants and other Citizens, of the City of Montreal.

Quebec School
Society.

An Engrossed Bill to incorporate "the British and Canadian School Society," of Quebec, was read for the third time.

Resolved, That the Bill do pass, and the title be, "An Act to incorporate the British and Canadian School Society of the District of Quebec."

Ordered, That Mr. Christie do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal
Ballot Bill.

Mr. Leslie, from the Select Committee to which was referred the Bill to amend an Act therein mentioned, and to establish the vote by Ballot, in the Election of Councillors and Assessors of and for the City of Montreal, with an Instruction to the said Committee, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table,

Resolved, That this House do now resolve itself into a Committee of the whole House, on the said Bill and Report.

The House accordingly resolved itself into the said Committee.

Mr. Price took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

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And Mr. Price reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered, That the said Bill be Engrossed.

Railroad Bills.

The Honourable Mr. Robinson, from the Select Committee on Railroad Bills, presented to the House the Final Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Report.

Your Committee have had under their consideration the Despatch, No. 457, from the Right Honourable Lord Stanley, on the subject of the "St. Lawrence and Atlantic Railroad Company," and inform your Honourable House that both of the suggestions alluded to in that Despatch have been fully carried out in the Act now be-

fore the House, for amending the Charter of the said Company.

Your Committee have also duly considered the Despatch of the Right Honourable W. E. Gladstone, dated 15th Januray, 1846, which certainly contains many valuable suggestions, and which they will notice in the order in which they stand in the Despatch, viz:

No. 1. Suggests the propriety of holding any Charter liable to the enactments of any Act of the Legislature which it may be deemed necessary to pass hereafter. This is provided for in the Second Report of this Committee, by a clause recommended to be inserted in all Railroad Acts for the future--that your Committee cannot agree to recommend that power should be given to repeal any Charter passed before the enactment of any general law regulating Railroads, as mentioned in Mr. Gladstone's Despatch. They deem such a provision unjust, and if insisted upon, likely to prevent persons investing their capital in such undertakings.

No. 2. With regard to the suggestion conveyed under the second head of the Despatch, "That of the proposed capital one tenth, at least, should have been actually invested in good and available security for the prosecution of the work," Your Committee are of opinion, that its adoption would be inapplicable to the circumstances of the Colony, and unnecessarily restrict its enterprize; the revisal of the Standing Orders of your Honourable House in the case of all Railway Bills, as recommended by the Committee, requiring that a preliminary Survey of the Line of Road be made, and a copy of all Plans, Sections, and Books of Reference be deposited, together with a published Map of the Country with the Line of the Railway delineated thereon, would require an outlay of sufficient extent previous to the application to the Legislature, to demonstrate generally the intention of the applicants to carry out the undertaking in the event of its being sanctioned by Law.

Nos. 3, 4, and 5. Your Committee humbly conceive are amply provided for in their Second Report to your Honourable House.

No. 6. Your Committee have considered the clause referred to in the Imperial Act, which gives power to the Lords Commissioners of Her Majesty's Treasury to revise the Scale of Tolls from time to time, and are of opinion that the same object is attained in a manner more suited to the circumstances of this Province, by the provisions contained in the St. Lawrence and Atlantic Railroad Charter, Sec. 40, as follows:--

"Provided always, and be it enacted, That from and after the expiration of the first entire year, ending on the thirtieth day of November, after the said Railroad shall have been completed and opened, the several rates by this act granted, shall yearly and every year be regulated by the amount of Dividends which the said Company shall have declared for the preceding year; that is to say, if the said Company shall have declared for the preceding year a dividend not exceeding six pounds currency, on each and every share in the said undertaking, the said Company shall be and they are hereby authorized and empowered to demand and receive, not exceeding the maximum rates by this Act granted, but when and so often as the said Company shall have declared for the preceding year a dividend of greater amount than six pounds per share, the said Company shall and they are hereby directed and required to pay over, as a tax to the Provincial Treasury, one moiety of the net income from the said Railroad accruing thereafter, over and above the six pounds per share, first payable to the said Proprietors."

No. 7, recommends giving power to the Government to purchase, on behalf of the Province, any Railroad chartered after the enactment of such a law on certain conditions. Your Committee see no objection to such being the case upon the terms pointed out in the Despatch.

Nos. 8 and 9. Your Committee also conceive are provided for in their Second Report.

No. 10, relates to powers recommended to be exercised by the Executive Government in regard to Railroads generally, which your Committee do not deem it their province to remark upon, further than that they quite coincide in the views expressed by Mr. Gladstone on that subject.

Your Committee have also had under their consideration the Petition of the Trustees of the Montreal Turnpike Roads, by which it would appear that certain persons have, under the authority of an Act for that purpose, loaned money to make a Road from Montreal to Lachine, as well as other roads embraced in the same Trust--and the Trustees are apprehensive that should the Railroad from Montreal to Lachine go into operation, it would diminish the revenue of the Trust, and thereby impair the security which the lenders at present have for the ultimate payment of the Capital invested in these Roads. Your Committee therefore recommend that a clause should be inserted in the Charter of the Montreal and Lachine Railroad Company, or of any other Company Chartered for a like purpose, to render such Company liable to any provision which the Legislature may deem it just to impose, for the protection of those persons who have loaned money as aforesaid, or that the same may be secured to them in any other way which your Honourable House may think proper to adopt.

Your Committee beg leave herewith to report an Address to Her Majesty, praying that she will not withhold Her Royal Assent to the Bills passed by this Legislature, during the present Session, for the reasons therein set forth, and mentioned in the preceding part of this Report, as followeth:--

Address.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of Canada,

Beg leave humbly to represent to your Majesty, that We have had under our consideration the Despatch from your Majesty's Secretary of State for the Colonies, dated 15th January, 1846, on the subject of Railway Communication in the Colonies, pointing out the terms upon which it is intimated the Royal Assent will be given to any Acts of this Legislature for chartering Railway Companies.

We have no hesitation in complying with the several suggestions contained in the Despatch alluded to, with the exception of the second, which requires as an indispensable preliminary, that of the proposed capital, one tenth at least should have been actually invested in good available securities for the prosecution of the work. This provision, however necessary it may have been found in Great Britain, where, from the abundance of capital and the numerous applications for Railway Charters, the Imperial Government

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may have found it advisable to impose such a restriction, We humbly submit is not applicable to this Province, and We respectfully represent to your Majesty that compliance with the rules requiring a preliminary survey of

the line of road, and that a Copy of all Plans, Sections and Books of reference, together with a Map of the Country, with the line of the proposed Railway delineated thereon, be deposited with the Executive Government, would require an expenditure of sufficient amount previous to application to the Legislature for a Charter to demonstrate the intention of the applicants to carry the undertaking into effect.

We assure your Majesty, that the Legislature have chartered no Railway Company for the construction of a Road which will not, when completed, be of the greatest benefit to the country, and therefore humbly hope the several Bills may receive your Majesty's sanction without delay, that the country may, as soon as possible, enjoy the benefits they are calculated to confer.

Resolved, That this House doth concur in the Address to the Queen's Most Excellent Majesty, as reported from the Select Committee on Railroad Bills.

Ordered, That the said Address be Engrossed.

Oxford Election.

Mr. Chauveau, Chairman of the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, reported to the House that the Committee met this morning at half-past eight o'clock, pursuant to adjournment, but in consequence of the absence of Mr. Lacoste, they were unable to proceed to business.

Ordered, That Mr. Lacoste, Member for the County of Chambly, do appear in his place in this House, at the next sitting thereof.

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Cayley,

Hon. L. J. Papineau.

Ordered, That the Message of His Excellency the Governor General, on the subject of the arrears of Salary due to the Honourable Louis Joseph Papineau, as late Speaker of the Lower Canada House of Assembly, be referred to the Committee of the whole House, on the Supply granted to Her Majesty.

Returns. King's College.

The Honourable Mr. Attorney General Draper, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

Returns and Documents relating to the University of King's College.

(For the said Returns and Documents, see Appendix Q.Q.)

Printed.

Ordered, That the said Returns and Documents be printed for the use of the Members of this House.

On motion of Mr. Cauchon, seconded by the Honourable Mr. Baldwin,

Orleans and Montmorency Division Bill.

Ordered, That the amendment made by the Legislative Council to the Bill, intituled, "An Act to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Regis-

tration," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 1, Line 28.--Leave out "second" and insert "third."

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Cauchon do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of Mr. Smith of Wentworth, seconded by the Honourable Mr. Robinson,

Great Western
Railroad Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate a Company to extend the Great Western Railroad from Hamilton to Toronto," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Amendments.

Press 2, Line 41.--After "Named" insert "before proceeding to business, or, in the event of their differing as to the choice of such other person, to be appointed by the Judge of the District Court, for the District in which the lands are situate, before the others proceed to business."

Press 4, Line 7.--After "aforesaid" insert "or refuse or neglect so to do for the space of one calendar month, after having been thereto required by the said Company."

" " " 8.--Leave out from "apply" to "them" in line 16, both inclusive, and insert "nominate one indifferent person, and for the Judge of the District Court, for the District in which the lands are situate, on the application of the said Company, to nominate and appoint one other indifferent person, who, together with one other person, to be chosen by the persons so named, before proceeding to business, or, in the event of their differing as to the choice of such other person, to be appointed by the said Judge, before the others proceed to business."

" " " 21.--Leave out "their" and insert "the."

" " " " --After "decision" insert "of the majority of such Arbitrators."

" " " 38.--Leave out from "apply" to "time" in line 41, and insert "nominate one indifferent person, and for the Judge of the District Court for the District in which such lands are situate, on the application of the said Company, to appoint one other indifferent

person, who together with one other person, to be chosen by the person so named before proceeding to business, or, in the event of their differing as to the choice of such other person, to be ap-

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pointed by the said Judge before the others proceed to business, shall be Arbitrators."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Smith of Wentworth do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Member added
to a Committee.

Ordered, That Mr. Taché be added to the Standing Committee on Contingencies.

On motion of Mr. Macdonell of Stormont, seconded by Mr. Chauveau,
Address, Corn-
wall Road.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that he will be pleased to cause to be laid before this House, the Report of the Chairman of the Board of Works, on which was founded the grant of nine hundred pounds of the last Session of the Legislature for the improvement of the Cornwall and L'Orignal Post Road.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Chauveau, seconded by Mr. Lantier,
Address,
E. S. DeRot-
termund.

Resolved, That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will be pleased to cause the proper Officer to lay before the House, Copies of any Report or Reports from E. S. DeRottermund, heretofore Chemist to the Provincial Geological Department, to the head of the said Department, or to the Provincial Government; and also of all correspondence between the said Department, or between him and the Provincial Government.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Boulton, seconded by Mr. Gowan,
Counsel.

Ordered, That Counsel be heard at the Bar of this House on Thursday next, on the several Bills introduced, affecting the Charter and Endowment of King's College.

On motion of Mr. Macdonald of Kingston, seconded by Mr. Smith of Fron-
tenac,
Kingston and

Ordered, That that part of the Speech of His Excellency,

Ottawa Road.

the Governor General, delivered at the opening of the last Session of the Provincial Parliament, as relates to a Road from the Town of Kingston, through the Inland Territory, towards the Ottawa, be now read.

The same was read accordingly.

Members Ex-
cused for not
attending Elec-
tion Committees.

According to Order, Pierre J. O. Chauveau, Esquire, Member for the County of Quebec, who was absent on the twenty-first instant from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, attended in his place in this House.

Mr. Chauveau rose in his place, and having given satisfactory reasons for not being present at the meeting of the said Committee,

On motion of Mr. Smith of Frontenac, seconded by Mr. Stewart of Bytown,
Resolved, That Mr. Chauveau having given satisfactory reasons for not being present on the twenty-first instant, at the meeting of the Select Committee for the trial of the Controverted Election for the County of Oxford, he be now excused for such non-attendance.

According to Order, Jacques Philip Lantier, Esquire, Member for the County of Vaudreuil, who was absent on the twenty-first instant, from the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, attended in his place in this House.

Mr. Lantier rose in his place, and having given satisfactory reasons for not being present at the Meeting of the said Committee,

On motion of Mr. Smith of Frontenac, seconded by Mr. Stewart of Bytown,
Resolved, That Mr. Lantier having given satisfactory reasons for not being present on the twenty-first instant, at the meeting of the Select Committee for the trial of the Contested Election for the County of Oxford, he be now excused for such non-attendance.

Common
School Bill,
(L. C.)

Mr. Jessup, from the Committee of the whole House, on the Bill to repeal certain Enactments therein mentioned, and to make better provision for Elementary Instruction in Lower Canada, reported, according to Order, the amendments made by the Committee to the said Bill.

The Honourable Mr. Papineau moved, seconded by the Honourable Mr. Attorney General Smith, that the Question of Concurrence be now separately put upon each of the said amendments.¹

DR. BOUTHILLIER alors se leva et dit qu'il allait donner à juger au pays la mesure de la considération et de la sympathie de l'administration pour les institutions de charité; que l'honorable député de l'Ottawa, après lui avoir donné sa parole en particulier qu'il introduirait dans son bill une clause pour exempter de la taxe les écoles, les institutions de charité, tels que les hôpitaux, etc., qui remplissent envers l'humanité, la société, les

devoirs les plus sacrés et les plus louables; que cependant, en comité général, il avait jugé à propos de retirer sa parole, mais qu'il allait de nouveau le mettre en demeure devant la chambre.²

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Mr. Bouthillier moved in amendment, seconded by Mr. Chabot, That all the words after "That," in the said motion, be struck out, and the following substituted, "the said Bill be now recommitted to a Committee of the Whole House, for the purpose of amending it, by inserting in the 38th clause, after the words "Religious Worship," the words "and all Charitable Institutions or Hospitals incorporated by Act of Parliament."

((Il y eut)) beaucoup d'opposition de la part de M. SMITH et de M. COM. CR. LANDS PAPINEAU³.

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The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chalmers, Chauveau, Cummings, DeBleury, Desaulniers, Dickson, Drummond, Duggan, Ermatinger, Foster, Gowan, Guillet, Jessup, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of KINGSTON, Macdonell of DUNDAS, Macdonell of STORMONT, McDonnell, Méthot, Monro, Petrie, Price, Robinson, Scott, Seymour, Sherwood of BROCKVILLE, Smith of WENTWORTH, Stewart of BYTOWN, Taché, and Williams.-- (38.)

NAYS.

Attorney General Draper, Papineau, Attorney General Smith, Solicitor General Taschereau and Viger.--(5.)

So it was carried in the affirmative.

The question being then put upon the main motion, as amended, it was agreed to.

MR. LANTIER then moved that the bill be again re-committed for the purpose of erasing the proviso to the 30th clause, and inserting in room thereof the following: - "Provided that unconceded lands (that is to say, unconceded lands in the possession of the seignors) in seignories shall be free from assessment under this act."⁴

MR. SOL. GEN. TASCHEREAU was in favour of the principle, but he did not think that its working would be just, for it would tell hardly on those seignories who had but a small quantity of land unconceded, while those who had a large quantity would let be (sic) easily off.⁵

MR. DEBLEURY was in favour of the principle, and he would vote for it.⁶

DR. LATERRIERE, spoke in French, we understood him to say that the principle was unjust.⁷

MR. COM. CR. LANDS PAPINEAU also spoke in French, and objected to the amendment.⁸

The motion was then withdrawn ((by)) MR. LANTIER, on a question of order⁹.

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And the House accordingly resolved itself into the said Committee.

Mr. Lantier took the Chair of the Committee,

MR. COM. CR. LANDS PAPINEAU proposa de statuer que tout curé ou ministre qui refuserait de servir comme commissaire d'école, serait passible d'une amende.¹⁰

Tous les membres canadiens élevèrent la voix contre cette proposition, en disant qu'il faisait laisser le clergé juge de la part qu'il devait prendre à l'éducation du peuple; qu'il était nécessaire pour l'avantage de la société que le clergé exerçât une influence morale sur les individus qui la composent, une influence salubre en dehors de tout ce qui est temporel; que si la loi actuelle, malgré son utilité, devait avoir pour effet de mettre les pasteurs en conflit avec ceux qui sont confiés à leurs soins spirituels, l'application qu'ils seraient forcés d'en faire les rendrait odieux à ceux auxquels ils devraient être chers et vénérables, (parce qu'on porte d'ordinaire sa haine, non pas contre une loi odieuse, mais contre celui qui est chargé de l'exécuter); qu'il serait convenable et juste de laisser ces hommes, placés dans une situation aussi délicate, libres d'accepter ou de refuser la charge de commissaire, suivant les circonstances; que c'était déjà trop de les priver du droit d'être commissaires si des circonstances particulières les éloignaient pendant deux mois de ces fonctions.¹¹

MR. COM. CR. LANDS PAPINEAU alors se leva ... et dit que le clergé était incontentable et capricieux, que certains de ses membres voulaient une chose et d'autres en voulaient une autre; qu'il avait fait son possible pour contenter leurs caprices, et qu'il ne pouvait s'y soumettre toujours.¹²

La chambre se prononça contre ((la motion à l'unanimité)).¹³

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lantier reported that the Committee had gone through the Bill, and had made a further amendment thereto which amendment was again read at

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the Clerk's table.

Ordered, That the question of concurrence be now separately put upon each of the said amendments.

And the said amendments being again severally read, and the question being separately put upon each, they were agreed to by the House.

On motion of Mr. Cauchon, seconded by Mr. Bouthillier,

Ordered, That the following amendment be made to the twentieth clause of the said Bill: strike out "thirty" and insert "twenty."

Mr. Lantier moved, seconded by Mr. Chauveau, that the following amendment be made to the twenty-second clause of the said Bill: strike out the

eleventh paragraph, and insert the following in lieu thereof, "to cause to be levied by assessment and rate, in the manner hereinafter provided by this Act, or by voluntary subscriptions in each Parish or Township, a sum equal to that allowed of the Common School Fund, for each Parish or Township, and to report their proceedings, in this respect, to the Superintendent; and to enable the School Commissioners to receive from the Superintendent of Education, their share of the Common School Fund, they shall furnish him with a Declaration from the Secretary Treasurer, that he has actually and bonâ fide received, and has in his possession, for the purposes of this Act, a sum equal to the said share accruing to such Commissioners, and stating whether the same has been levied by assessment and rate, or by voluntary subscription: Provided, nevertheless, that if in any Parish or Township, any School District or Districts shall refuse to contribute voluntarily to the amount of their respective portions of the sum granted out of the public monies, arising from the Common School Fund, such School District or Districts, may be assessed for the same, in the manner provided by this Act, although the other School Districts in the same Parish or Township may not be liable to such assessments."

MR. SMITH, objected to the amendment as it would interfere with the principle of the bill. This was the only distinctive feature from the bill of last year, and it was then found to be totally inoperative. He conceived that it would inevitably lead to litigations.¹⁴

MR. PRES. EX. COUN. VIGER addressed (sic) the House at some length in French objecting to the amendment.¹⁵

MR. COM. CR. LANDS PAPINEAU, would it not be far better to have one uniform system, instead of different systems throughout the country. It was found to be inoperative last session, and it would be far better not to adopt the principle again.¹⁶

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The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Chauveau, Desaulniers, Lantier, Macdonell of STORMONT, M'Connell, and Solicitor General Taschereau.--(6.)

NAYS.

Baldwin, Boulton, Bouthillier, Cauchon, Cayley, Chabot, Chalmers, Cummings, DeBleury, DeWitt, Dickson, Drummond, Guillet, Jessup, LaFontaine, Laterrière, Lealie, Méthot, Moffatt, Monro, Nelson, Papineau, Price, Robinson, Scott, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Taché, and Viger.--(33.)

So it passed in the negative.

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Papineau,

Ordered, That the following amendment be made to the twenty-second clause of the said Bill: in the thirteenth paragraph, after "indigent persons,"

insert "Lunatics or Idiots."

MR. METHOT moved that the 14th section of the 22nd clause be expunged, and the following inserted, "That any person may be exempted on account of indigence or such other cause, or fix a time for the payment thereof."¹⁷

MR. SMITH was opposed to it, as it struck at the root of the bill. To place such power in the hands of the Superintendant, is allowing him to levy the rate. It was a power that was not even placed in the hands of the Executive. He (Mr. S) stated that he would add idiots or lunatics after indigent persons.¹⁸

The motion was then withdrawn ((by)) MR. METEOT.¹⁹

MR. CAUCHON moved that a proviso be added ((to)) the end of section of the 22nd clause, to the effect that the commissioners may remove a school master, and that they must send a copy of their reasons to the superintendent of education.²⁰

The motion was lost.²¹

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On motion of the Honourable Mr. LaFontaine, seconded by Mr. Leslie, Ordered, That the following amendment be made to the thirty-eighth clause of the said Bill: strike out "Provided that unconceded Lands in Seigniories, as well as the Seigniorial Grist Mills, shall be free from assessment," and insert "Provided that unconceded Lands, (that is to say, terres en bois debout, or uncultivated Lands in the possession of the Seigniors,) in Seigniories, shall be free from assessment under this Act."

On motion of the Honourable Mr. Papineau, seconded by the Honourable Mr. Attorney General Smith,

Ordered, That the following amendment be made to the thirty-ninth clause of the said Bill: after "Act," in the forty-first line, insert "a copy of which valuation the Municipal Council shall, on demand, furnish to the Corporation of School Commissioners."

*Ordered, That the said Bill as amended be Engrossed.*²²

Public
Lands Bill.

The Order of the Day for the second reading of the Bill to extend the provisions of the 13th section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to amend the said Act in other respects, and further to provide for the final settlement of Land Claims, being read;

Ordered, That the said Bill be read a second time on Saturday next.

Quebec Trinity
House Bill.

The Order of the Day for the second reading of the Bill to authorize the Quebec Trinity House to license as Pilots a certain class of persons therein mentioned, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Vanzandt's

The Order of the Day for the second reading of the

Relief Bill.

Engrossed Bill from the Legislative Council, intituled,
 "An Act for the relief of Juliet Vanzandt, wife of Jacob L. Vanzandt, who claims as sister of the half blood of Richard Duncan, late of Williamsburg, in the Eastern District of this Province," being read;

Mr. Macdonell of Dundas moved, seconded by the Honourable Mr. Morin, that the said Bill be read a second time on this day six months.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, Accordingly.

Toronto Hospital Bill.

The Order of the Day for the second reading of the Bill to incorporate the Trustees of the Toronto Hospital, being read;

Mr. Boulton moved, seconded by Mr. Duggan,
 That the said Bill be now read a second time.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Royal Assent to Bills.

A Message was brought by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod:

MR. SPEAKER,

His Excellency the Governor General desires the immediate attendance of this Honourable House in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber. And being returned,

Mr. Speaker reported, that agreeable to the commands of His Excellency the Governor General, the House had attended His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give in Her Majesty's name, the Royal Assent to the following Public and Private Bills:--

Titles.

"An Act to allow the formation of more than one Agricultural Society in a County in Lower Canada, and for the relief of the Society for the County of Montreal."

"An Act to amend the Act amending certain provisions of the Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal."

"An Act to repeal the Act incorporating the Quebec Gas Light and Water Company."

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"An Act to attach certain Territory therein described to the District of Huron, for certain purposes."

"An Act to amend the laws incorporating the City of Montreal, and to facilitate the decision of cases wherein the right of any party to any office in the Corporation may be called in question."

"An Act further to amend the Ordinance incorporating the City of Quebec, and for other purposes."

"An Act to require Slides of certain dimensions to be erected upon the several Mill Dams in the River Moir and its tributaries, in the District of Victoria."

"An Act to amend an Act entitled, "An Act to extend the Charter of the Commercial Bank of the Midland District, and to increase its capital stock."

"An Act to authorize the Desjardins Canal Company to borrow a sum of money to complete the Desjardins Canal."

"An Act to remove all doubts as to the validity of certain Deeds, Instruments, and Documents, executed before Notaries in Lower Canada, and to secure the Rights, Titles, and Interests of all persons concerned therein."

"An Act to convey a part of the Concession Line between the 3rd and 4th Concessions of the Township of Barton, in the Gore District, to Robert Jarvis Hamilton."

"An Act to enable the District of Bathurst to receive the School Monies apportioned to it, in the year one thousand eight hundred and forty-five, notwithstanding the failure of the District Council to levy an equal sum."

"An Act to amend an Act, intituled, "An Act to extend the Charter of the Bank of Upper Canada, and to increase the Capital Stock thereof."

"An Act to authorize the Community of the Sisters of Charity of the General Hospital, Montreal, (Grey Nuns) to sell or alienate their property, situated at Pointe à Callière, in the City of Montreal, and to invest the capital price or prices thereof in other Real and Immoveable Property."

"An Act to amend the Act for defining the limits of Counties and Districts in Upper Canada."

"An Act to incorporate the Huntingdon Plank Road Company."

"An Act for the better establishment and maintenance of Common Schools in Upper Canada."

"An Act to provide for the removal of the place of holding the Circuit Court in the County of Lotbinière, from Ste. Croix to Lotbinière, and of the Registry Office of the said County, from the place where it is now held to Ste. Croix."

Sheriffs
Poundage Bill.

The Order of the Day for the House in Committee on the Bill to regulate the Poundage to be received by Sheriffs on Executions, and for other purposes therein

mentioned, being read;

The House accordingly resolved itself into the said Committee.

Mr. Boulton took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Tuesday next.

University
Bill, (U.C.)

The Order of the Day for the second reading of the Bill to erect a University by the name and style of the University of Upper Canada, being read;

Ordered, That the said Bill be read a second time on Thursday next.

Trade.

The Order of the Day for the House in Committee to consider certain Resolutions to be proposed on the subject of Trade, with the view to adopt an humble Address to Her Majesty relative thereto, being read;

Ordered, That the said Order of the day be postponed until Thursday next.

"Banque des
Marchands"
Bill.

The Order of the day for the House in Committee on the Bill to incorporate "La Banque des Marchands," being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonell of Dundas took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Dundas reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Message from
Legislative
Council.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery.

Marriages Bill,
(U. C.)

MR. SPEAKER,

The Legislative Council have passed a Bill, intituled, "An Act to amend and extend the provisions of an Act of the Parliament of the late Province of Upper Canada, intituled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province," to which they desire the concurrence of the Assembly.

And also,

Great Western
Railroad Bill.

The Legislative Council have passed the Bill, intituled, "An Act to alter and amend the Charter of the Great Western Railroad Company," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Marriages
Bill, (U.C.)

An Engrossed Bill from the Legislative Council, intituled, "An Act to amend and extend the provisions of an Act of the Parliament of the late Province of Upper Canada, intituled, "An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province," was read for the first time.

On motion of Mr. Price, seconded by the Honourable Mr. Baldwin,

Ordered, That the said Bill be read a second time on Tuesday next.

R. Randall's
Remuneration.

The Order of the Day for the House in Committee on the Report of the Select Committee, to which was referred

the Petition of J. H. Culp, of the Township of Stamford, in the District of Niagara, being read;

The House accordingly resolved itself into the said Committee.

Mr. Taché took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair.

Montreal
Roads Bill.

The Order of the Day for the second reading of the Bill to amend and extend the provisions of the Laws

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relative to Turnpike Roads in the neighbourhood of Montreal, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

On motion of the Honourable Mr. Robinson, seconded by Mr. Smith of Wentworth,

Great Western
Railroad Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to alter and amend the Charter of the Great Western Railroad Company," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 12, Line 24.--After "Districts" insert "respectively."

" 13, " 1.--Leave out from "apply" to "them" in line 10, both inclusive, and insert, "nominate and appoint one or more indifferent person or persons, and for the Judge of the District Court for the District in which such lands or grounds are situate, on the application of the said Company, to nominate and appoint an equal number of indifferent persons, who, together with one other person, to be elected by ballot by the person so named."

" " " 15.--Leave out "whose" and insert "the".

" " " " --After "decision" insert "of the majority of such arbitrators."

" " " 39.--Leave out from "apply" to "time," where it occurs secondly in line 42, both inclusive, and insert "nominate and appoint one or more indifferent person or persons, and for the Judge of the District Court for the District in which the lands or grounds are situate, on the application of the said Company, to nominate and appoint an equal number of indifferent persons, who, together with one other indifferent person, to be elected by ballot by the persons so named, shall be arbitrators."

" 16 " 29.--After "Gore" insert "and also in the Western District."

" " " 42.--After "them" insert the following Clauses A & B.

CLAUSE A.

"And be it enacted, that the said Company shall

at all times, when thereunto required by Her Majesty's Deputy Post Master General, the Commander of the Forces, or any person having the command or superintendence of any Police Force, carry Her Majesty's Mail, Her Majesty's Naval or Military Forces, or Militia, and all Artillery, Ammunition, Provisions, or other Stores for their use, and all Policemen, Constables, and others travelling on Her Majesty's Service on their said Railroad, on such terms and conditions, and under such regulations as the said Company and the said Deputy Post Master General, the Commander of the Forces, or person in command of any Police force respectively, shall agree upon, or if they cannot agree, then upon such terms and conditions, and under such regulations, as the Governor or person administering the Government, shall in Council make, Provided that by such regulations the Company shall not be required to start any train or steamboat at any other time than their ordinary time of starting the same; but they may be required to provide a separate carriage for the Mail and the person or persons in charge thereof; And Provided also, that any further enactments which the Legislature of this Province may hereafter deem it expedient to make with regard to the carriage of the said Mail, or Her Majesty's Forces, and other persons and articles as aforesaid, or the rates to be paid for carrying the same, or in any way respecting the use of any Electric Telegraph, or other service to be rendered by the Company to the Government, shall not be deemed an infringement of the privileges intended to be conferred by this Act. And nothing in this Act contained shall be construed to authorize the said Company to take or enter upon any Lands or Real Estate of any kind belonging to Her Majesty, Her Heirs or Successors, or vested in or held in Trust, by the Principal Officers of Her Majesty's Ordnance, or any public body, person or party in Trust for the uses or service of Her Majesty, Her Heirs or Successors, whether such Real Estate be held in fee simple, or for any less Estate during the continuance of such Estate, unless the entering upon or taking of such Lands or Real Estate be authorized by the Governor in Council, or by the Commander in Chief of Her Majesty's forces in this Province."

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CLAUSE B.

"And be it enacted, That nothing herein contained

shall affect or be construed to affect, in any manner or way whatsoever, the rights of Her Majesty, Her Heirs and Successors, or of any person or persons, or of any bodies politic, corporate or collegiate, such only excepted as are herein mentioned."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Smith of Wentworth do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Boulton, seconded by Mr. Seymour,

Cobourg
Manufac-
turing Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Cobourg Manufacturing Company," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 9, Line 3.--Leave out from "Company" to "may" in line 4.

" " " 15.--Leave out from "except" to "provided," both inclusive.

" " " 21.--After "Corporation" insert "distinguishing those who are Directors, and stating the number of shares held by each shareholder."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Boulton do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until Tuesday next.

Then, on motion of Mr. Duggan, seconded by the Honourable Mr. DeBleury, The House adjourned²³ until Tuesday next at ten o'clock, A.M.

APPENDIX, 23 MAY 1846.

((QUESTIONS AND ANSWER RE: ROAD FROM KINGSTON TO THE OTTAWA.))²⁴

MR. J. A. MACDONALD of Kingston, asked the Ministry whether it was the intention of the Government to make any appropriation for the road from Kingston to the Ottawa, referred to in the speech from the throne on the opening of the last Session.²⁵

MR. INSP. GEN. CAYLEY after some delay, stated that it was not the intention of the Government to make any appropriation.²⁶

MR. J. A. MACDONALD then asked if they intended to lay before the House this Session, the report of the Surveyor in reference to that road.²⁷

No answer was returned to this question.²⁸

FOOTNOTES - 23 MAY 1846.

1. The debate on this matter was reported by: MIRROR, 23 May 1846, and PILOT, 28 May 1846, in identical accounts; and LE JOURNAL DE QUEBEC, 26 May 1846. LA MINERVE, 25 May 1846, noted it. A commentary appeared in LE JOURNAL DE QUEBEC, 26 May 1846.
2. LE JOURNAL DE QUEBEC, 26 May 1846.
3. IBID.
4. MIRROR, 23 May 1846.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID. MIRROR added "and was moved when the clause was brought before the House for concurrence and carried."
10. LE JOURNAL DE QUEBEC, 26 May 1846.
11. IBID.
12. IBID.
13. IBID.
14. MIRROR, 23 May 1846.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. MONTREAL TRANSCRIPT, 26 May 1846, noted: "The rest of the business transacted during the day did not elicit any discussion."
23. MONTREAL TRANSCRIPT, 26 May 1846, added "at five o'clock".
24. These questions and answer were reported by: MIRROR, 23 May 1846, and PILOT, 28 May 1846, in identical accounts.
25. MIRROR, 23 May 1846.
26. IBID.
27. IBID.
28. IBID.

TUESDAY, 26 MAY 1846.

10:00 O'CLOCK, A.M.

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Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table:--

By Mr. Stewart of Bytown,--The Petition of Lachlin
Stewart and others, of the Eastern and Ottawa Districts; and the Petition of
Mrs. Elizabeth M'Givern, of the town of Bytown.

By the Honourable Mr. Moffatt,--The Petition of Messieurs Hamilton and
Low; and the Petition of John Dods, President of the St. Michel Road Com-
pany.

By Mr. Price,--The Petition of Jared Vining, Esquire, on behalf of the
Municipal Council of the District of Brock; and the Petition of Elliot Grieve,
Senior, and others, of the Township of Westminster.

By Mr. Ermatinger,--The Petition of John Short, Henry Long and others,
Members of the United Church of England and Ireland, in the Township of
London, in the Diocese of Toronto.

By the Honourable Mr. Robinson,--The Petition of the Municipal Council of
the District of Simcoe, (relating to a grant.)

By Mr. Macdonald of Cornwall,--The Petition of James Kerby, Lessee of
the Crown Ferry at Fort Erie Rapids, Niagara District.

MR. PRES. EX. COUN. VIGER¹ moved the third reading of the bill to make
better provision for Elementary Education in Lower Canada.²

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Common
School Bill,
(L. C.)

An Engrossed Bill to repeal certain enactments there-
in mentioned, and to make better provision for Elemen-
tary Instruction in Lower Canada, was read for the
third time.

The Honourable Mr. Moffatt moved, seconded by Mr. Macdonald of Cornwall,
that the following Engrossed Proviso be added to the twenty seventh clause
of the said Bill, by way of Ryder, and do make part thereof:--

"Provided always, that whenever the majority of the children attending
any School now in operation, and the School House shall belong to or be oc-
cupied by such dissentients, the said School House shall continue to be oc-
cupied by them so long as the number of children taught in such School shall
amount to the number required by this Act to form a School District; and the
entire amount of monies raised by assessment on such dissentients shall be
paid to the Trustees of such School, together with a due proportion of the
Building Fund."

MR. AT. GEN. SMITH opposed the motion as interfering with the very
principle of the bill - joint contribution for educational purposes. It
would enable the rich to become dissentients, and to take possession (sic)
of their contributions, and thus deprive the poor of the benefit which the
common School system was intended to give that of numerical participation
in a common fund.³

MR. WILLIAMS was in favour of the motion because he considered that if the dissentients were the majority, they were no longer dissentients, but transferred that character to the minority.⁴

MR. PETRIE said there was a misunderstanding of the meaning of the clause; why allow dissentients, if they were not allowed the privileges of dissent?⁵

MR. COM. CR. LANDS PAPINEAU opposed the motion.⁶

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The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, Bouthillier, Chalmers, Christie, DeBleury, Duggan, Ermatinger, Foster, Gowan, Jessup, Lantier, Macdonald of CORNWALL, Macdonell of STORMONT, M'Connell, Moffatt, Petrie, Robinson, Seymour, Smith of FRON-TENAC, Smith of WENTWORTH, Stewart of BYTOWN, Watts, and Williams.--(23.)

NAYS.

Armstrong, Baldwin, Cayley, Chauveau, Daly, DeWitt, Dickson, Drummond, Guillet, Lacoste, LaFontaine, Laterrière, Laurin, Leslie, Méthot, Morin, Papineau, Rousseau, Scott, Attorney General Smith, Solicitor General Taschereau and Viger.--(22.)

So it was carried in the affirmative.

The said Proviso being then thrice read, and the question being put thereon, it was agreed to by the House.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.

"Banque des
Marchands"
Bill.

An Engrossed Bill to incorporate "La Banque des
Marchands" was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Leslie do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal
Roads Bill.

An Engrossed Bill to amend and extend the provisions of the Laws relative to Turnpike Roads, in the neighbourhood of Montreal, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend and extend the Laws relative to the Turnpike Roads in the neighbourhood of Montreal."

Ordered, That Mr. Jobin do carry the said Bill to the Legislative Council, and desire their concurrence.

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Quebec Trinity
House Bill.

An Engrossed Bill to authorize the Quebec Trinity House to license as Pilots, a certain class of persons therein mentioned, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cauchon do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal
Ballot Bill.

An Engrossed Bill to amend an Act therein mentioned, and to establish the vote by Ballot, in the Election of Councillors and Assessors, of and for the City of

Montreal, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend an Act therein mentioned, and to make better provision for the Election of Councillors and Assessors, of and for the City of Montreal."

Ordered, That Mr. Leslie do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of James Blackburn and others, Creditors of the late Municipal Council, of the District of Sydenham; praying that measures may be taken to secure to them their just claims against the said Council.

Of the Reverend M. Townsend and others, of the County of Rouville; of the Reverend Thomas Johnson and others, inhabitants of Abbotsford and its vicinity; and of the Reverend William Jones and others, of Bedford; praying that a clause may be introduced into all Bills granting Railway Privileges, to prohibit travelling on Sundays, except in cases of great emergency and under certain restrictions.

Of William New and others, residing in the neighbourhood of the Town of Hamilton; praying against the extension of the limits of the said Town.

Of the Reverend J. Winterbotham and others, Members of the Baptist Church and Congregation Meeting in the Town of Brantford; praying that no division may be made of the Clergy Reserve Lands, but that measures may be adopted to cause the proceeds of the said Lands to be appropriated to the purposes of general education.

Of the Reverend J. Winterbotham and others, Members of the Baptist Church and Congregation Meeting in the Town of Brantford; praying that the endowment of King's College may be preserved entire; and that each religious Sect may be left to provide a Theological Education for its Ministers without public aid.

Of the Reverend Matthew Kerr and others, Members of the United Church of England and Ireland, in the Townships of March and Huntley, in the Diocese of Toronto; praying that measures may be adopted for vesting in the Church Society of the Diocese of Toronto, for the benefit of the said Church, such a portion of the Clergy Reserve Lands, as shall correspond with their share of the income arising from the same.

Of Joseph Bouchette, Esquire, and others, employed in the Civil Service of the Provincial Government; praying for an allowance in consideration of

the removals of the Seat of Government.

Of the Reverend Charles Fletcher and others, of the village of Chippawa and neighbourhood, in the District of Niagara; praying that no partition be made of the endowment of the University of King's College, but that the said University may be established upon a firm and liberal basis.

Of Messieurs Gilmour and Company and others, Merchants, and other citizens of the City of Montreal; praying for a repeal of the Bankrupt Law.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. Robinson,

Ordered, That the Petition of Messieurs Hamilton and Low, setting forth that they are largely interested in the Montreal Turnpike Trust, and praying that no Bill be passed by which their security may in any respect be lessened, unless provision be made for the payment of the monies loaned by the said Trust, be now read, and that the Rule of this House of the twenty-eighth of June, 1841, be suspended as to the present Petition.

The said Petition was read accordingly.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. Robinson,

Ordered, That the Petition of John Dods, President of the St. Michel Road Company, setting forth their apprehensions that a certain portion of the Road, at present under the management of the said Company, may be placed under the control of the Montreal Corporation, in virtue of the Bill now before the House, to amend the Municipal Law of Lower Canada, and praying relief, be now read, and that the Rule of this House, of the twenty-eighth of June, 1841, be suspended as to the present Petition.

The said Petition was read accordingly.

Petition of
J. Bouchette,
et al. referred.

Ordered, That the Petition of Joseph Bouchette, Esquire, and others, employed in the Civil Service of the Provincial Government, be referred to the Standing Committee on Contingencies.

Commuta-
tions of Ten-
ure of Land.

Mr. Christie, from the Select Committee appointed to enquire into and report upon the expenses usually incurred in effecting Commutations of Tenure of Land held en Fief, or à titre de cens of the Crown in Lower Canada, into that of Free and Common Soccage, under the Imperial Act 3rd Geo. 4th, chap. 119, and their legality, and whether such expenses have contributed to prevent Commutations, or have proved an obstacle thereto, and to report upon the expedience of making provision by Law for modifying those expenses or charges, with a view to facilitate the operation of the said Act, and to render Commutations under it less expensive, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix R.R.)

Printed.

Ordered, That the said Report be printed for the use

of the Members of this House.

Commutation
of Tenure of
Land Bill.

Ordered, That Mr. Christie have leave to bring in a Bill to facilitate Commutation of the Tenure of Land held à titre de cens, or en roture of the Crown in Lower Canada, into that of Free and Com-

mon Soccage.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Tuesday the sixteenth of June next.

Gaspé Munici-
palities Bill.

Mr. Christie, from the Select Committee to which was referred the Bill relating to the Magdalen Islands, in the Gulf of St. Lawrence, and to enable the inhabitants, householders thereof, to establish a Municipal Council in the said Islands; and the Bill relating to certain Municipalities in Gaspé not regularly established according to Law, and to remedy the defect, and for other purposes; reported that the Committee had gone through the latter of the said Bills, without making any amendment thereto, and the Report was again read at the Clerk's table.

Member added
to a Committee.

Ordered, That Mr. Price be added to the Select Committee, to which was referred the Petition of William Hillis and others, of the District of

London, and another reference.

MR. AT. GEN. SMITH rose⁷ to propose the 1st part of the series of resolutions on the subject of the Quebec and Halifax Rail Road. He said that this was a scheme which had been a long time before the public, and therefore the members would be acquainted with both the merits and demerits of the scheme; that it was important that there should be a route to the sea at all times of the year, without depending on another country was clear; if such a route was not constructed, we would have to depend on a foreign power for our access to the sea during one-half of the year⁸. He remarked upon the high importance⁹, the almost absolute necessity, of a route through our own dominions to the Mother Country, in preference to¹⁰ being indebted to the United States¹¹, ((for)) in case of war, ((we)) would be altogether cut off; that such an object was desirable he thought there could be no doubt, and as the first resolution embodied simply a statement of the fact, he would now move it.¹²

It was seconded by MR. DEBLEURY.¹³

I. Resolved, - That this House is fully sensible of the value and importance in a political point of view, of improving the Inland Route between Quebec and Halifax, by the construction of a Rail-road, thereby shortening the time within which communications can take place between this Province and the Mother Country, and facilitating the defence of the British Possessions, on this Continent in the event of a War.¹⁴

MR. MOFFATT wished to know whether in voting for the Resolutions, the House pledged itself to anything more at present than the survey?¹⁵ In

supporting that resolution, he did so only on the understanding that the House was by no means to be considered thereby pledged to carry out this scheme, except it should be found advantageous to the Colony.¹⁶

((The resolution)) was carried unanimously.¹⁷

MR. AT. GEN. SMITH then moved 2nd by MR. DEBLEURY, the 2nd Resolution viz.

2. Resolved. - That in the opinion of this House, a Survey and Estimate should be made for the purpose of ascertaining the best Route for, and the cost of constructing such Rail-road from Quebec to the Southeastern Boundary, of this Province, to unite with a Rail-road to be constructed onwards to Halifax, and that a Report should also be obtained of the nature of the Country, through which the first mentioned Rail-road will pass - the Population, Resources, Trade and other statistical information, as will enable this House to judge of the Commercial value and importance of the projected improvement, and to decide on the extent to which it may be for the interest of this Province, to co-operate with the Imperial Government and the Sister Colonies, in encouraging and assisting the completion of this undertaking.

He would now advert to the question of pledging the House to any course.¹⁸ Of course, in the absence of all information as to the practicability of the work, or its actual advantage to the Province,¹⁹ it would be premature to pledge the House to carry out any project, which it might hereafter turn out to be impracticable²⁰. Although the resolutions bore on their face that if the project was practicable, and the evidence obtained shewed that it was for the advantage of the Province that it should be carried out, it was the intention of the Government to come down to the House with some proposal on the subject.²¹ That the project now before us was desirable, he had already said, there could be no doubt, if it was possible to be carried; and he believed it would also be for the interests of the country.²²

MR. CHAUVEAU addressed the House in French²³. ((He)) was opposed to this hesitation: if the work were feasible it must certainly be advantageous.²⁴ ((He)) was very angry because the Government would not pledge itself to carry out the Railroad, whether it was practicable or impracticable, advantageous or disadvantageous, - This was to be another act of injustice to Lower Canada.²⁵ ((He urged)) the necessity of a more distinct pledge to carry out the route, provided there was a favourable report.²⁶

MR. SMITH in answer to Mr. C. said that this was not to be considered a pledge,²⁷ but it might be taken as indicative of the intention of the Government.

MR. ROBINSON thought it would be absurd for the House to pledge itself to such an undertaking as the Halifax and Quebec Railroad²⁸ before it was found to be practicable or before the cost was ascertained; how would this House feel if they were to carry it out and the cost amounted to £10,000,000 instead of £3,000,000. He thought that the road was expedient, but it was well known that every thing that was expedient was not practicable.²⁹

MR. CHAUVEAU. - If the Government have any reserve, they will do ten times more harm to the undertaking than if they had never broached the subject.³⁰

MR. ERMATINGER would not think he was fulfilling his duty without giving his opinion on the subject of this scheme which he considered a most insane one.³¹ ((He)) wanted to know why this House was to be pledged to this work; if we had an inexhaustible Treasury we might favour it, but when our treasury is dry, and when we are already plunged far enough in debt, he thought that it was madness to countenance such an insane project; he thought that it was far better to stop on the threshold, for if after the survey it may be at all practicable, this House will consider itself in a manner pledged to carry it on to a termination. He would ask if the Imperial Government encouraged in any way the project, no! they did what we ought to do. There are no statistics before us that it will pay, nor is it known what it would cost, he would tell the House that it would cost at least £10,000 per mile, and it must be if carried out 1,200 miles long, that was £12,000,000, in the United States it cost from £4,000 to 5,000 per mile.³² Let the Railroad be made by speculators, if made at all; but let not the impoverished revenues of the Province be pledged for such a ridiculous scheme.³³ He protested therefore, against laying out any money on surveying a road which could never be carried out.³⁴ The House ought to reflect on such insane projects, and not plunge head long into them.³⁵

MR. CHALMERS³⁶ was in favour of the resolution the only question then before the House was, whether they should have the expense of the survey, he for one would willingly do so³⁷ on account of the Military advantages to be attained by the road. No one could doubt that the men and money recently voted for the war in United States were intended for something greater than Mexico. For his own part he was at the review the other day and when he saw the gallant 93rd it reminded him of the time when the honorable Speaker was at the head of the Gore men and when he (Mr. Chalmers) and his friends followed him with sticks in their hands when they could not get swords. He wished he could see the Speaker then, in the middle of a hollow square, and the Americans about to attack it.³⁸

MR. MORIN. - Spoke in French in favour of the resolutions.³⁹ ((He)) enlarged upon the advantage which would be derived to the Province and the Mother Country by the formation of such a line of communication.⁴⁰

MR. MOFFATT, thought that it was couched in language that would not have induced any remarks. The Railroad was certainly most desirable but what was desirable was not always attainable, and he thought that no premature pledge ought to be given.⁴¹

MR. AT. GEN. DRAPER, thought from the way in which the resolution had been framed, there could have been no doubt of the intentions and opinions of the framer. He thought it was not enough to know that it was desirable but that it would be of a commercial value, as well as of political importance; instead of the Home Government discouraging the project as has been said, they have sent out instructions that the military engineers should be

employed, and so that we shall only have to bear the expenses attendant on their survey, without remunerating the engineers. He thought that this was conveying a tacit pledge, that if it was found practicable it should be carried out.⁴²

The resolution was then carried unanimously.⁴³

MR. AT. GEN. SMITH ((moved seconded by)) MR. DEBLEURY ...

3. Resolved. - That an humble Address be presented to His Excellency, the Governor General, praying that his Excellency will be pleased to take the necessary measures to procure such Survey, Estimate, Report and information, assuring His Excellency that this House will make good the expense attending the same.⁴⁴

((The resolution was passed.))⁴⁵

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Quebec and
Halifax
Railroad.

On motion of the Honourable Mr. Attorney General
Smith, seconded by the Honourable Mr. DeBleury,

Resolved, That this House is fully sensible of the value and importance in a political point of view, of improving the Inland Route between Quebec and Halifax, by the construction of a Railroad, thereby shortening the time within which communications can take place between this Province and the Mother Country, and facilitating the defence of the British Possessions on this Continent, in the event of a War.

Resolved, That in the opinion of this House, a Survey and Estimate should be made for the purpose of ascertaining the best Route for, and the cost of constructing such a Railroad from Quebec to the South-eastern Boundary of this Province, to unite with a Railroad to be constructed onwards to Halifax, and that a Report should also be obtained of the nature of the country through which the first mentioned Railroad will pass--the Population, Resources, Trade, and other statistical information as will enable this House to judge of the Commercial value and importance of the projected improvement, and to decide on the extent to which it may be for the interest of this Province to co-operate with the Imperial Government and the Sister Colonies, in encouraging and assisting the completion of this undertaking.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to take the necessary measures to procure such Survey, Estimate, Report, and information, assuring His Excellency that this House will make good the expense attending the same.

Resolved, That a Select Committee composed of the Honourable Mr. Attorney General Smith, the Honourable Mr. Morin, and the Honourable Mr. DeBleury, be appointed to draw up and Report the Draught of an Address to His Excellency the Governor General, in conformity with the foregoing Resolutions.

The Speaker, SIR A. MACNAB,⁴⁶ then by the desire of the House left the

Chair till half past three.⁴⁷

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On motion of Mr. Laurin, seconded by the Honourable Mr. Morin,

Winter Roads Bill.

Ordered, That the amendment, made by the Legislative Council to the Bill, intituled, "An Act to repeal two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province heretofore Lower Canada, in so far as regards the District of Quebec, the District of Gaspé, and that part of the District of Three Rivers, which is or was in the Municipal District of Portneuf," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 1, Line 29.--Leave out "repealed" and insert "Suspended until the first day of May, which will be in the year one thousand eight hundred and forty seven, and from thence until the end of the then next Session of the Provincial Parliament, and no longer."

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Laurin do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of Mr. Colville, seconded by Mr. Stewart of Bytown,

Presbyterian Synod Relief Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to enable the Ministers of the Associate Presbyterian Synod of North America to keep Registers of Baptisms, Marriages, and Burials, performed by them, and for other purposes," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 33.--After "Minister" insert "authorized by law to keep such Register."

" " " " --After "in" insert "that part of."

" " " " --After "Province" insert "called Lower Canada."

" 2 " 6.--After "shall" insert "be a subject of Her Majesty and shall."

" 3 " 4.--After "in" insert "that part of."

" " " " --After "Province" insert "called Lower Canada."

" " " 26.--After "be" insert "recoverable."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Colville do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Instruction to a Committee.

The Honourable Mr. Baldwin moved, seconded by Mr. Price, That it be an Instruction to the Committee of the whole House on the Bill to amend the Law constituting the Board of Works, so to amend the Schedule B.4. of the said Bill, as to protect those from having to pay double Tolls, who having paid for one use of the Road may, from living at a distance, or from other causes, be unable to make their return trip within twenty-four hours of their first passing; such proceeding not to affect the present Lessees of Tolls during the continuance of their present Leases respectively.

The Honourable Mr. Moffatt moved in amendment to the said motion, seconded by the Honourable Mr. Solicitor General Sherwood, That the following words be added thereto, "or to provide a reasonable Toll going and returning."

The question having been put upon the said motion of amendment, it was agreed to unanimously.

The question being then put on the main motion, as amended, it was also agreed to by the House, and

Ordered, Accordingly.

Message from Legislative Council.

A Message from the Legislative Council by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills with amendments, to which they desire the concurrence of the Assembly.

Cobourg Railroad Bill.

"An Act to revive and amend the Act of Upper Canada, incorporating the Cobourg Railroad Company, and for other purposes therein mentioned."

Bytown Incorporation Bill.

"An Act to define the limits of Bytown, and to establish a Town Council therein."

And then he withdrew.

Member excused for not attending Election Com-

According to Order Louis Lacoste, Esquire, Member for the County of Chambly, who was absent on the twenty-first and twenty-third instant, from the

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mittee.

Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, attended in his place in this House.

Mr. Lacoste rose in his place, and having given satisfactory reasons

for not being present at the Meetings of the said Select Committee, and having verified the same upon oath,

On motion of Mr. Chauveau, seconded by the Honourable Mr. Baldwin,

Resolved, That Mr. Lacoste having given satisfactory reasons for not being present on the twenty-first and twenty-third instant, at the Meetings of the Select Committee for the trial of the Contested Election for the County of Oxford, and having verified the same upon oath, he be now excused for such non-attendance.

On motion of Mr. Macdonald of Cornwall, seconded by Mr. Macdonell of Dundas,

Cornwall
Incorporation
Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Act of Incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu

of a Board of Police," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 5, Line 24.--Leave out "public."

" " " 25.--After "sewers" insert "(such wharves, docks, or quays being the exclusive property of the said Corporation.)"

" 6 " 9.--Leave out from "stills," to "sale" in line 10, both inclusive.

" " " 23.--After "shops" insert "workshops, distilleries, manufactories."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Macdonald of Cornwall, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Sheriffs'
Poundage Bill.

Mr. Boulton, from the Committee of the whole House, on the Bill to regulate the poundage to be received by Sheriffs on Executions, and for other purposes therein mentioned, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Board of
Works Bill.

The Order of the Day for the House in Committee on the Bill to amend the Law constituting the Board of Works, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the Chair of the Committee,⁴⁸

The question of the adoption of the 8th clause ((was)) being put.⁴⁹

MR. DRUMMOND said, he thought the bill must have been drawn up by some one wholly ignorant of the laws of Lower Canada; he did not mean to reproach the Ministry generally but he thought those of them who belonged to the Eastern Section of the Province should have condescended to inform themselves whether or not the bill was in any way inconsistent with the civil law of which they were supposed to be the competent guardians. As the 8th clause then stood there was no security for parties who might hold mortgages on the lands that would pass into the hands of the Board of Works, there was no protection for the rights of Seigneurs, those of Churches, or any hypothecary (sic) rights whatever; a party might even sell land that did not belong to him and the rightful one would have no recourse against the Board. He (Mr. D.) thought the bill generally so defective, so ill digested, that he would recommend the Ministry to refer it to a special Committee; if they did not do so he would move the Committee to rise.⁵⁰

MR. AT. GEN. SMITH contended that monies could be seized in the hands of the Commissioners, and said the present bill differed from that of 1841 only as regarded the power of suing (sic) the Board. Under the new organization, the Board could not be sued; he thought it was no principle to place such a body as the Board of Works in the same position as a private individual, and led, as the hon. member for Portneuf well knew, to a great deal of money being unjustly exacted from the Board by means of suits of law; he did not mean to impugn the judgments of the Court which compelled the payment of these monies - they were, of course, founded upon evidence.⁵¹

Some further discussion ((took place)) in the course of which MR. DRUMMOND reiterated his objections.⁵²

MR. INSP. GEN. CAYLEY agreed to reserve the 8th clause for the next sitting of the committee.⁵³

The 14th clause ... which enacts, that previous to any application for the appropriation (sic) of public money for any improvement proper surveys shall be made at the expense of the parties applying ((was read)).⁵⁴

MR. LAFONTAINE objected to this clause, and did not see any reason why these surveys ought not to be done by the Commissioners.⁵⁵

MR. AT. GEN. DRAPER. - This clause is to prevent the Province being put to expense by applications for mere local improvements.⁵⁶

MR. DRUMMOND considered that this clause would be an injustice to Lower Canada, as very few public improvements have heretofore been carried on in that part of the Province, and now the expense of the surveys are to be born (sic) by private individuals.⁵⁷

MR. INSP. GEN. CAYLEY added this proviso, that all reasonable expenses will be refunded to the parties making these surveys, if the Legislature make an appropriation for the work.⁵⁸

The clause as amended was carried.⁵⁹

The 22nd clause, ... which enacts that three arbitrators shall be appointed for Upper Canada and three for Lower Canada, to value all pro-

perty taken for public works, and all damages done by these works ((was read)).⁶⁰

MR. DRUMMOND considered this to be the most important clause in the bill, and it was certainly a most extraordinary one. It creates a species of Court, a nondescript tribunal, and the word arbitrators is only used for the purpose of throwing dust into the eyes of the people. These arbitrators will be the paid servants of the Commissioners; and the continuance in their situation will depend upon giving satisfaction to the Commissioners; under the Civil Law, servants could not be heard on behalf of their masters. He considered that these arbitrators would not do justice to the people whose properties were taken. The present permanent arbitrators have not given satisfaction. He would affirm that if this clause is carried, it will be such an act of spoliation (sic) as has never been passed in any country. He proposed an amendment to the effect, that each party should be allowed to appoint an arbitrator, and these to appoint the third in case of a difference of opinion, and that the Commissioners should, before taking any land, offer what they consider the value of it; and if the arbitrators do not allow more than this sum, the costs of the arbitration to be paid by the person applying for it.⁶¹

MR. ROBINSON and MR. R. MACDONALD of Cornwall stated that this system had been adopted when the Welland Canal was constructed, and that it had worked well, the awards made by these arbitrators had been generally satisfactory.⁶²

MR. G. MACDONELL of Dundas protested against this clause, and stated that there could be no arbitration when the arbitrators are not appointed by the free choice of the parties. The people would not be satisfied with the awards of these arbitrators. Mr. William Freeland had been appointed on behalf of the Government as such an arbitrator, to value the damages on the Dundas Canal, and there has been great dissatisfaction expressed by the people on account of the amounts that he has awarded them; they consider that he has been too favourable to the Government.⁶³

MR. GOWAN, Mr. Freeland's integrity in private life is well known, and though he (Mr. F) was a political opponent of him (Mr. Gowan) yet he must bear testimony to Mr. Freeland's intimate knowledge of all subjects connected with agriculture, and that he considered him to be the most proper person to decide on the amount of the damage that had been referred to. The principle of naming arbitrators either in the bill or by the government had been acted upon in Upper Canada; with respect to almost every public work. He mentioned the turnpike road from Brockville to Perth, as an instance of this. The persons in the neighbourhood of the place where the works are going on, are the last individuals who ought to be called upon to estimate the damage done by these works, as they are all more or less interested; and there is always a feeling to estimate the damages at a higher rate, when the Government have to pay these damages, than if it was a private individual who had to pay them.⁶⁴

MR. HALL considered that when we trust our lives and property to our neighbours, we need not be afraid to allow them to estimate these damages.⁶⁵

MR. SHERWOOD, in almost all cases the damages given are too great, and therefore the expence of constructing public works is considerably increased.⁶⁶

MR. J. S. MACDONALD, of Glengary (sic), thought that the general feeling of the country would be against this clause, for these arbitrators would act in such a way that they might have further claims to promotion from the powers that be and though this clause allows an appeal to the Court of Queen's Bench, yet we know that the Judges always lean to the side of the Government.⁶⁷

MR. AT. GEN. DRAPER, this is not a new principle but it has been adopted in Upper Canada, with respect to a number of public works, and has always given general satisfaction. The administration had no personal interest in the matter, they only wish to protect the public treasury, from the extravagant awards that are often given by arbitrators.⁶⁸ Heretofore, under the old mutual arbitration system, the damages awarded against the public treasury were so enormously disproportionate to the actual value, that the Government felt bound to introduce a new system. In some cases £10 had been allowed for an apple tree, £5 for a thornbush, and prices for sheds - such, for instance, as were built over bee-hives, but were called houses for the occasion, - and fences that would not stand a gale of wind, which would surprise honorable members. Sums had been awarded for rickety buildings, which were allowed to be removed, greater than the whole fee simple of the property they stood on was worth, or would previously have sold for.⁶⁹ There is a natural leaning when the arbitrators are chosen from the neighbourhood on behalf of their neighbours; they say we give £200 or £300 more than the amount of the damage to our neighbour, and it would do him a great deal of good, and do the Government very little harm. They forget that they will have to pay their share out of the taxes. The decision of these arbitrators is not to be final, but there is allowed a right to appeal from their awards to the Court of Queen's Bench. There will be a great advantage in having a settled body of this kind, so that they will become acquainted with their duties, and be enabled to perform them more satisfactorily to individuals and to the Government.⁷⁰ The proposed system of arbitration had been adopted upon the Welland Canal, and had been found to work so well, that he was not aware of a single complaint having been made against it.⁷¹

An amendment was made to this clause, to provide for appeal to a Court of Justice, in cases where the proprietors or the Government had cause to be dissatisfied with the award.⁷²

An amendment was put, allowing each party to choose an arbitrator, and the two an umpire; the motion was carried by a majority of two.⁷³

MESSRS. G. MACDONELL, of Dundas, WATTS, & ROBINSON, voted for the amendment.⁷⁴

The House was not satisfied with the counting in the first instance, and, after some confusion, the vote was taken a second time, resulting in the ((above)) majority....⁷⁵

The committee then divided on the main motion as amended, Yeas 25,
Nays 23.⁷⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

On motion of the Honourable Mr. Robinson, seconded by Mr. Duggan,
Adjournment.

Ordered, That when this House doth adjourn, it will
adjourn until to-morrow at Eleven o'clock A.M.

Militia Bill.

The Order of the Day for the House in Committee,
on the Bill for the better regulation of the Militia
of this Province, being read;

The House accordingly resolved itself into the said Committee.

Mr. Leslie took the Chair of the Committee,⁷⁷

The 1st, 2nd, and 3rd clauses were carried without amendment.⁷⁸

The 4th clause ((was read)).⁷⁹

MR. GOWAN had strong objections to the clause which made it necessary for Officers of Militia to hve (sic) within the regimental limits. Some of the most effective Officers were denizens of the towns and by this bill they would be absolutely deprived of their commissions.⁸⁰

((Some hon. members)) considered that the Governor should have the power to grant dispensations in certain cases.⁸¹

MR. D. MACDONELL of Stormont thought it most important that such a rule should be established. The Captains at least should reside within the limits of their regiments.⁸²

MR. SMITH of Frontenac said that was one of the best clauses in the bill, and he could assure the hon. member for Leeds that great dissatisfaction was caused by Officers not living within the regimental limits. And he would tell the hon. gentleman of a regiment that he was well acquainted with, the third regiment of Frontenac, which was officered entirely by young gentlemen of Kingston, while there were plenty of Farmers sons who were quite as capable of performing their duties and felt disappointed at not receiving commissions.⁸³

DR. NELSON was very much pleased with the observations of the hon. gentleman who had just taken his seat. He had lived long in the country, and he could assure hon. gentlemen that the greatest abuse, he would say more the greatest insult that could be offered to the inhabitants of the country, was to give commissions to gentlemen who did not live within the regimental limits. As the hon. member for Frontenac had said there were numbers of Farmers Sons who were worthy of commissions, it was true they were not great gentlemen, but they were the men who had influence in the

country and enjoyed the confidence of their neighbours, as would be found in the time of need. He would direct the attention of hon. gentlemen to what had happened in 1812 when four small parishes turned out nine hundred and sixty fighting men. They did not go then to the towns to look for Officers, whom the people did not know. No they turned out with Officers in whom they had confidence, and the effect of it was this, there was no necessity for coercion, no necessity for sending round the bailiff, they looked upon it as the greatest happiness to defend their country from a foreign foe and they did it manfully. It was not those who like the hero of Hudi-bras, ran away and lived to fight another day, who enjoyed the confidence of their neighbours and would be most readily followed to the field, and as it was impossible to say how soon Canadians may be called on to defend their homes, it was important to have Officers commissioned in whom confidence could be placed. And he would here remark that no invidious distinctions should be made in giving out these commissions for those who were the most strenuous in defending their political rights at home were the most ardent in defending their homes from foreign aggression when they had something to fight for.⁸⁴

MR. R. MACDONALD, of Cornwall, said that this is in reality the bill of the session, and he did not think it should be proceeded with at such a late hour of the night; he would, therefore, move that the committee rise, report progress, and adjourn.⁸⁵

Motion lost.⁸⁶

MR. SMITH, of Frontenac, did not apprehend any great injury to the service, if by the operation of that clause some of the officers who now held commissions were laid on the shelf. It would be a benefit rather than an injury. - He hoped, however, that some discretion would be exercised in future in choosing officers for promotion, as it was well known that many were promoted at once from subaltern to Lieut. Colonel, as for instance his hon. friend from Glengarry. If such a promotion had been made in his (Mr. S.'s) regiment, in which he had the honour to be captain, he would, without throwing any aspersions on the gallantry or martial qualities of his hon. friend, have resigned his commission at once.⁸⁷

MR. J. S. MACDONALD, of Glengarry, said that the hon. member for Frontenac had singled him out, as he must suppose, in order to make him appear contemptible. He would tell that hon. gentleman that his promotion had received the sanction of all those whom he was appointed to command.⁸⁸

MR. G. MACDONELL, of Dundas, thought that if there were officers in the Militia whom it would be advisable to lay on the shelf, that remark could only apply to the Midland District, and so far it might be true, but he would tell him that in the Eastern District the regiments were commanded by gentlemen, whom the people would follow to death. They were soldiers who had seen service, and of whom the hon. member for Stormont might be taken as an example. With regard to the hon. member for Glengarry, he did not stand up to defend him, as he was able to do that himself, but he would remark that the commission of Colonel was not conferred on him because he

smelt so much powder burnt (hear, hear) in his military days, but on account of his station. - A new regiment was raised, and he, as the representative of the country, was considered the most fitting person to whom the command could be offered; and he could bear testimony, being his hon. friend's Major, (hear, hear) to the warm reception that he received from the regiment.⁸⁹

The clause was carried.⁹⁰

The fifth clause was carried.⁹¹

To the sixth clause a proviso was added making all the cities and towns named in the Schedule, Regimental Divisions, as regards residence of officers.⁹²

MR. G. MACDONELL, (Dundas) hoped that the restriction of residence would not be applied to officers now holding Commissions; such a restriction would have the effect of cashiering old officers who had hitherto served whenever called upon, and would be very unpopular.⁹³

MR. AT. GEN. DRAPER explained that the field officers were to be taken from the Regimental Division, which might consist of two or more counties; the Adjutant was not compelled to be resident in the District; all other officers were to reside in the battalion limits.⁹⁴

The 7th 8th 9th 10th and 11th clauses were carried without amendment.⁹⁵

The 12th clause ... ((was)) moved⁹⁶.

It was proposed that in drafting, men married during the two years previous should be first drawn; as some individuals might get married to avoid service.⁹⁷

The clause was carried without amendment.⁹⁸

Clause 13th, Clause A, 14th were carried.⁹⁹

On moving the 15th clause, MR. AT. GEN. DRAPER moved that the quota should be 30,000 instead of 20,000; the Hon. Gentleman stated that the British Government had shipped for the Militia of this Province 35,000 percussion muskets, and they would be here in a few days.¹⁰⁰

The amendment, was carried.¹⁰¹

The 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, and 25th clauses were carried without amendment, or discussion.¹⁰²

MR. AT. GEN. DRAPER stated his intention of again moving the clause, providing for inspecting field officers; it had been left out in Committee, but he wished to take the sense of the House on it.¹⁰³

MR. BALDWIN ((asked)) a question¹⁰⁴.

MR. AT. GEN. DRAPER said that the Bill would be in force for three years, and thence to the end of the next session of Parliament; but in case of war existing with the United States, until the next session after the proclamation of peace.¹⁰⁵

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Leslie reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of the Honourable Mr. Viger, seconded by the Honourable Mr. Daly,

The House adjourned until to-morrow at Eleven o'clock, A.M.

FOOTNOTES - 26 MAY 1846.

1. The debate on this motion was reported by: MIRROR, 26 May 1846, PILOT, 28 May 1846, MONTREAL GAZETTE, 27 May 1846, MONTREAL TRANSCRIPT, 30 May 1846, in accounts which are identical except that in the MONTREAL TRANSCRIPT some speeches have been omitted entirely.
2. MIRROR, 26 May 1846.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. The debate on this matter was reported by: MIRROR, 26 May 1846, and PILOT, 28 May 1846, in accounts which are identical; MONTREAL GAZETTE, 27 March 1846; and MONTREAL TRANSCRIPT, 30 May 1846. There is a commentary in LE CANADIEN, 29 May 1846.
8. MIRROR, 26 May 1846.
9. MONTREAL GAZETTE, 27 May 1846.
10. MONTREAL TRANSCRIPT, 30 May 1846.
11. MONTREAL GAZETTE, 27 May 1846.
12. MIRROR, 26 May 1846.
13. IBID.
14. IBID.
15. MONTREAL GAZETTE, 27 May 1846.
16. MONTREAL TRANSCRIPT, 30 May 1846.
17. MIRROR 26 May 1846.
18. IBID.
19. MONTREAL GAZETTE, 27 May 1846.
20. MIRROR, 26 May 1846.
21. MONTREAL GAZETTE, 27 May 1846.
22. MIRROR, 26 May 1846.
23. IBID.
24. MONTREAL TRANSCRIPT, 30 May 1846.
25. MONTREAL GAZETTE, 27 May 1846.
26. MIRROR, 26 May 1846.
27. IBID.
28. MONTREAL TRANSCRIPT, 30 May 1846.
29. MIRROR, 26 May 1846.
30. IBID.
31. MONTREAL TRANSCRIPT, 30 May 1846.
32. MIRROR, 26 May 1846.
33. MONTREAL GAZETTE, 27 May 1846.
34. MONTREAL TRANSCRIPT, 30 May 1846.
35. MIRROR, 26 May 1846.
36. IBID. MONTREAL TRANSCRIPT, 30 May 1846, commented: "The honble gentleman's warlike remarks and the naive way in which they were delivered caused a great deal of laughter."
37. MIRROR, 26 May 1846.
38. MONTREAL TRANSCRIPT, 30 May 1846.

39. MIRROR, 26 May 1846.
40. MONTREAL TRANSCRIPT, 30 May 1846.
41. MIRROR, 26 May 1846.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. This matter was reported by: MIRROR, 26 May 1846, and PILOT, 28 May 1846, in accounts which are identical; and MONTREAL TRANSCRIPT, 30 May 1846.
47. MIRROR, 26 May 1846.
48. The debate on this matter was reported by: MIRROR, 26 May 1846, and PILOT, 30 May 1846, in accounts which are identical; and MONTREAL TRANSCRIPT, 30 May 1846, and KINGSTON NEWS, 1 June 1846, in accounts which are identical in most respects, but different in others. There is a commentary in LE JOURNAL DE QUEBEC, 4 June 1846.
49. MIRROR, 26 May 1846.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. MONTREAL TRANSCRIPT, 30 May 1846.
70. MIRROR, 26 May 1846.
71. MONTREAL TRANSCRIPT, 30 May 1846.
72. IBID.
73. IBID. The MONTREAL TRANSCRIPT commented: "The discussion was entirely of an interlocutory character".
74. MIRROR, 26 May 1846.
75. MONTREAL TRANSCRIPT, 30 May 1846.
76. MIRROR, 26 May 1846. KINGSTON NEWS, 1 June 1846, noted that the division was taken "much to the disinclination of Mr. Cauchon, the Chairman".
77. The matter was reported by: MIRROR, 26 May 1846, and PILOT, 30 May 1846, in accounts which are identical; and MONTREAL TRANSCRIPT, 30

May 1846, KINGSTON NEWS, 1 June 1846, and LE CANADIEN, 29 May 1846, in accounts which are identical except that in LE CANADIEN some speeches have been omitted entirely.

78. MONTREAL TRANSCRIPT, 30 May 1846.
79. IBID.
80. MIRROR, 26 May 1846.
81. MONTREAL TRANSCRIPT, 30 May 1846.
82. MIRROR, 26 May 1846.
83. IBID.
84. IBID.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. MONTREAL TRANSCRIPT, 30 May 1846.
91. IBID.
92. IBID.
93. IBID.
94. IBID.
95. IBID.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. IBID.
105. IBID.

WEDNESDAY, 27 MAY 1846.

11:00 O'CLOCK, A.M.

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Petition of H.
Adams and A.
S. Pope re-
ferred.

RESOLVED, That the Petition of Hiram Adams and Abel S. Pope, of the Township of Edwardsburgh, in the District of Johnstown, be referred to a Select Committee, composed of Mr. Jessup, Mr. Sherwood of Brockville, Mr. Seymour, Mr. Foster, and Mr. Cummings, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Montreal
Roads.

Mr. Jobin, from the Select Committee to which was referred the Petition of E. Guy, Esquire, and others, residing on the Lower Lachine Road, and other references, with an Instruction to the said Committee, and with power to report from time to time; presented to the House the Second Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix S.S.)

MR. CHRISTIE moved an Address to Her Majesty setting forth the claims of the Canadian Government on the Territory now in dispute between this Province and New Brunswick, and praying (as we understood) that an arrangement should be made by which the Free Navigation of the River St. John should be conceded to Canadians.¹

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On motion of Mr. Christie, seconded by Mr. Chauveau,

New Bruns-
wick Boun-
dary.

Resolved, That an humble Address be presented to the Queen's Most Excellent Majesty, conveying to Her Majesty a renewed expression of our loyalty and attachment to Her Majesty's Person and Govern-

ment, and at the same time our unfeigned concern at the misunderstanding that has arisen between the Government of this Province and that of Her Majesty's Province of New Brunswick, respecting the Boundary Line between the two Provinces, and Tract of Country known as the Madawaska Territory, appertaining to this Province, to which a claim has been set up by the Government of New Brunswick, and an appeal made to Her Majesty by the two Houses of the Legislature thereof at its last Session.

Resolved, That it be in such Address, also dutifully represented to Her Majesty, that Her faithful Subjects, the Commons of Canada, waiving the claim that might fairly be set up by the Government thereof to certain Territory, South of and adjacent to the Ristigouche emptying into the Bay of Chaleurs, over which, as part of New Brunswick, the Legislature and Laws thereof have heretofore exercised jurisdiction without interference on the part of Her Majesty's Canadian Government, nevertheless humbly claim, as appertaining to this Province, the whole Tract of Country or

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Territory adjacent to and North of the Ristigouche, (forming part of the County of Bonaventure,) from the head or western extremity of the Bay of Chaleurs upwards, to where the line prolonged due North from the source of the Ste. Croix, intersects that River, together with the entire Tract or Country adjacent to and westward of the said line of intersection, including the aforesaid Madawaska Territory, bounded on the South by that part of the Northern Frontier of the United States, situate between the said line of intersection, and the point where the line of the said Northern Frontier, as settled by the late Treaty of Washington, touches the forty-fifth parallel of North Latitude, over all which the Government and Legislature of Lower Canada heretofore have exercised Jurisdiction and Authority, and in the possession whereof as part of this Province, Her Majesty's faithful subjects, the Commons thereof, pray Her Majesty will graciously be pleased to maintain Her Canadian Government, in justice to Her Majesty's Subjects in Canada, --and that Her Majesty, in adjusting the matter, will also be pleased to secure to Her Majesty's Subjects in this Province, and others conveying to sea the Products thereof by the River St. John, the free navigation of the same, without being subjected or liable to any impost or duties therefor, by or on the part of the Government and Legislature of New Brunswick.

Resolved, That a Select Committee, composed of Mr. Christie, Mr. Gowan, and Mr. Chauveau, be appointed to draw up and report the Draught of an humble Address to Her Majesty, in conformity with the foregoing Resolutions.

MR. GOWAN obtained leave to introduce an Address to Her Majesty on the subject of the Post Office Department. He mentioned that he intended on an early day to move its reference to the Select Committee which are appointed to enquire into the Post Office Department.²

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On motion of Mr. Gowan, seconded by the Honourable Mr. Robinson,

Address to
Her Majesty,
Post Office
Department.

Resolved, That an humble Address be presented to the Queen's Most Excellent Majesty, upon the subject of the Post Office Department in this Province, as follows:

To the Queen's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY:

We, Your Majesty's faithful and loyal Subjects, the Legislative Assembly of the Province of Canada, in Provincial Parliament assembled, humbly beg leave to approach Your Majesty, and to renew the expression of our sincere devotion to Your Royal Person and Government.

We feel duly sensible of the attention which Your Majesty, and Your Illustrious Predecessors, have ever bestowed upon all complaints emanating from the Representatives of Your faithful Subjects in these Colonies, and

we are therefore the more emboldened, in approaching Your Royal Throne, and in soliciting Your Gracious consideration to a subject, which has for many years been one of deep anxiety and regret to all classes of Your Majesty's Canadian People; we allude to the management of the Post Office Department in the Provinces of British North America.

We should be truly sorry to urge upon Your Majesty's consideration, any measure which we believed could tend to weaken or disarrange the ties which bind the People we have the honour to represent, in dutiful allegiance to the Parent State, but we humbly conceive that the continuance of Officers in the direction of so important a Department of the Public Service as the Post Office, and one so nearly connected with all pursuits and avocations in the Colony, who are wholly irresponsible to Your Majesty's Representative in British North America, as well as to Colonial Public Opinion, cannot fail to lead to numerous abuses unknown to the Chief of the Department in London, to create discontent in Canada, and to place Your Majesty's Subjects here in a position of inferiority to their fellow Subjects in Britain, and to the Citizens of the neighbouring States, whose Republican Institutions they have no desire to imitate, but whose management of their Post Office affairs, leaves Your Majesty's Subjects here much to envy.

We humbly implore Your Majesty, that the Post Master General, and officers appointed to conduct the affairs of the Department in this Colony, may be appointed by, and be made subject to Your Majesty's Representative in this Colony, receiving from time to time such instructions as the Chief of the Department in London may think fit to communicate for their guidance. And until the necessary arrangements may be made by Your Majesty's Government, to carry out this, our respectful but earnest application, we further desire that the future Salary to be paid to Mr. Stayner, the present Incumbent, may not exceed the sum of £1,000 Provincial Currency, per annum, an amount which we believe to be adequate compensation for the duties performed, and fully as high as public opinion will sanction.

Your Majesty has been already graciously pleased to grant to Your Representative in this Colony, the privilege of nominating officers to some of the inferior situations in the Department, amongst which was the appointment of Post Masters, but even this concession (which was received very graciously,) has been practically denied, by the power being still withheld of appointing the place, at which subordinate Post Offices should be held--a power which is now exercised by a class of officers called Surveyors, in a manner often detrimental to the Public interest, and at all times without reference to Public responsibility.

The regulations in reference to Colonial Literature generally, and especially regarding Newspapers, are not such as the liberal spirit of the age sanctions, and are highly dissatisfactory to Your Majesty's Colonial Subjects.

Upon this subject Your Majesty's faithful Subjects would further represent, that by the regulations formerly in force, Post Masters were permitted to send notice, free of postage, to the proprietors of the Newspaper Press, signifying to them the "refusal" to receive the papers on the part of the individuals to whom they were addressed, or that the papers "were not called for," or otherwise as the cases might respectively be,

while at present this privilege has been taken away, and newspapers may continue to be addressed for years to parties by whom they have been refused, and who declined to pay for them in consequence of such refusal; thus subjecting the Newspaper Proprietors not only to the greatest ignorance and uncertainty, but to positive loss of property and manifest injustice. Wherefore it would be the anxious desire of Your Majesty's Canadian Subjects, that Post Masters should be permitted to return to the newspaper office, (free of postage,) all papers not taken out of the office by the party to whom they may be addressed, with the cause of their not being so taken out written thereon. And also that the former practice of permitting "exchange" newspapers to pass through the Post Office to the Newspaper Offices to which they may be respectively addressed, free of postage, should be again put in force.

The postage on letters and packages is enormously high; it is not in accordance with public opinion, and is such as to leave Your faithful People in these Dependencies of Your Empire, far behind their fellow subjects in the British Isles, and inferior to the Citizens inhabiting the neighbouring Republic.

The small amount paid to local Post Masters in the several Rural Districts of the Province, for the duties they are required to perform, but

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ill assorts with the enormously disproportioned sums paid to the Colonial Head of the Department, and to those other Officers immediately connected with him, and which large salaries and allowances could, as Your faithful Subjects conceive, be more equitably apportioned, in granting fair and reasonable compensation to the officers engaged in the outer branches of the Establishment, and in extending the Postal arrangements of the country.

Ordered, That the said Resolution be referred to the Select Committee appointed to enquire into the Post Office Department; and other references.

Oxford
Election.

Mr. Chauveau, Chairman of the Select Committee appointed to try the merits of the Petition of the Honourable Francis Hincks, of the City of Montreal, complaining of the undue Election and Return of Robert Riddell, Esquire, Sitting Member for the County of Oxford, presented to the House the Final Report of the said Committee,³ which was again read at the Clerk's table, and is as followeth:--

1. Resolved, That Robert Riddell, Esquire, Sitting Member for the County of Oxford, is duly elected for the said County during the present Parliament.
2. Resolved, That the Petition of Francis Hincks, Esquire, against the Return of the said Robert Riddell, Esquire, is not frivolous or vexatious.
3. Resolved, That the defence of the Sitting Member is not frivolous or vexatious.

Parishes,

Ordered, That Mr. Drummond have leave to bring in a

Churches, &c.
Erection Ordinance Bill.

Bill to explain and amend an Act, intituled, "An Ordinance concerning the erection of Parishes, Churches, Parsonage Houses, and Churchyards."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Friday next.

New Brunswick Boundary.

Mr. Christie, from the Select Committee appointed to prepare and report the draught of an humble Address to the Queen's Most Excellent Majesty, on the subject of the Boundary Line between this Province and the

Province of New Brunswick, presented to the House the Address prepared by the said Committee, which Address was again read at the Clerk's table, and agreed to by the House, and is as followeth:

Address to Her Majesty.

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Canada, in Provincial Parliament assembled, beg leave humbly to approach Your Majesty with the renewed expression of our loyalty and attachment to Your Majesty's Person and Government, and at the same time, our unfeigned concern at the misunderstanding that has arisen between the Government of this Province, and that of Your Majesty's Province of New Brunswick, respecting the Boundary Line between the two Provinces, and Tract of Country including that known as the Madawaska Territory, appertaining to this Province, to which a claim has been set up by the Government of New Brunswick, and an appeal made to Your Majesty by the two Houses of the Legislature thereof, at its last Session, respecting the same.

We also beg leave to represent to Your Majesty, that Your Majesty's faithful subjects, the Legislative Assembly of Canada, waiving the claim that might fairly be set up by the Government of Canada to certain Territory south of and adjacent to the Ristigouche, emptying into the Bay Chaleurs, over which, as part of New Brunswick, the Legislature and Laws thereof have heretofore exercised jurisdiction without interference on the part of Your Majesty's Canadian Government, nevertheless humbly claim, as appertaining to this Province, the whole Tract of Country or Territory adjacent to and north of the Ristigouche, (forming part of the County of Bonaventure,) from the head or western extremity of the Bay Chaleurs upwards, to where the line prolonged due north from the source of the Ste. Croix, intersects that River, together with the entire Tract or Country adjacent to and westward of the said line of intersection, including the aforesaid Madawaska Territory, bounded on the south by that part of the northern frontier of the United States, situate between the said line of intersection, and the point where the line of the said Northern Frontier as settled by the late Treaty of Washington, touches the forty-fifth parallel of north latitude, over all which the Government and Legislature of Lower Canada formerly exercised jurisdiction and authority, and in the possession whereof, as part of this Province, Your Majesty's faithful subjects,

the Legislative Assembly thereof, pray Your Majesty will graciously be pleased to maintain Your Canadian Government, in justice to Your Majesty's subjects in Canada,--and that Your Majesty in adjusting the matter will also be pleased to secure to Your Majesty's dutiful subjects in this Province, and others conveying to sea the products thereof by the River St. John, the free navigation of the same, without being subjected or liable to any impost or duties therefor by or on the part of the Government and Legislature of New Brunswick.

Ordered, That the said Address be Engrossed.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

LEGISLATIVE COUNCIL,
Wednesday, 27th May, 1846.

Gaspé Mar-
riages, &c. Bill.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly to request that they will communicate to this House the Documents, Evidence, and Proofs, upon which is founded the Bill intituled, "An Act to revive for a limited time an Act therein mentioned, relating to the proving and recording of certain Marriages solemnized in the late Inferior District of Gaspé, anterior to the year one thousand eight hundred and twenty-one, including also Baptisms and Burials."

And then he withdrew.

The Master in Chancery was then called in, and informed by Mr. Speaker, that this House will send an answer by Message.

Supply.

The Order of the Day for the House in Committee on the Supply granted to Her Majesty, being read;
The House accordingly resolved itself into the said Committee.
Mr. DeWitt took the Chair of the Committee,⁴

MR. INSP. GEN. CAYLEY moved a Resolution affirming the propriety of employing the funds ((from the Jesuits' Estates)) to general education.⁵

MR. MORIN went over the manner in which the estates of the Jesuits had fallen out of the hands of the Jesuits, and contended⁶ at some length, in the French language,⁷ that those funds ought to be applied certainly to the purposes of education,--but to the purposes of education, as conducted under the auspices of the Catholic Clergy. He pointed out that these estates had been given for the support of Catholic teachers, and that even the argument that they had been given by the Government of the day, for the advantage of the Province, and ought, therefore, to be applied for the general advantage thereof, could not hold good, because a considerable portion of the lands had been given, not by the Government, but by individuals. He remarked, that though it was desired that the Catholic part of the population should have the control of this property, there was no reason whatever to imagine that Protestants would be excluded⁸ from a participation in the advantages derived from them. The past history of the educational

Establishments in Lower Canada he said, sufficiently showed that there was no reason to fear any exclusiveness. All sects were admitted to the classes without distinction or constraints upon their peculiar sentiments, and it was known that many protestants were proud of having received their education in the Colleges. Such he contended would be the case in the Colleges which would be established with this property.

The hon. gentleman concluded by moving an amendment having for its object the declaration that these estates should be invested in the Catholic Church.⁹

M. LESLIE, ... seconda cet amendement.¹⁰

MR. PRES. EX. COUN. VIGER spoke for some time in French in favour of the ministerial plan.¹¹ ((Il)) commença son discours, en avouant "qu'il connaissait le sort qu'allait lui faire l'opinion de ses concitoyens, mais, il avait, dit-il, un devoir à remplir."¹² ((Il)) dit qu'il n'y avait pas de doute que les biens des jésuites eussent appartenus à l'église catholique (sic), mais, ajouta-t-il, c'est qu'il n'y avait que des catholiques dans ce pays alors:¹³ il dénonça la tyrannie catholique et¹⁴ il se répondit contre la révocation de l'édit de Nantes et contre les spoliations de Henri VIII.¹⁵

((Quelqu'un)) ... lui demanda ce que faisaient ces choses à la question en litige.¹⁶

MR. PRES. EX. COUN. VIGER répondit "qu'on ne pourrait contester la vérité des faits qu'il annonçait." ... il dit que sous le règne de Louis XIV les protestants ne pouvaient se marier, que leurs mariages étaient regardés comme illicites par la loi. Puis il invoqua la doctrine du droit national de l'Europe pour prouver sans doute que les biens des jésuites appartiennent à la couronne. Ce que voulait l'administration, a-t-il dit, était d'arriver graduellement à la justice égale.¹⁷ "Nous étions, ajouta-t-il, parvenu à de meilleurs temps et les biens des Jésuites devaient être des biens communs au protestantisme et au catholicisme."¹⁸

MR. INSP. GEN. CAYLEY wished, with the leave of the House to substitute another resolution for the one which he had laid on the table, the change being that instead of saying "now vested in the crown," to say "now vested in the Legislature for educational purposes."¹⁹ By this change he sought to introduce a more direct reference to the act of 1832--it was not his intention to enter at length into the question in debate, which he felt assured would be much more ably handled by those gentlemen who represented the interests of Lower Canada²⁰ ((and)) who were better acquainted with the subject than he was,²¹ but would confine himself to what might be considered the financial part of it, viz--the sources from which the revenues were derived--the amount--and the mode adopted for division--he (Mr.C.) could not however avoid expressing his surprise at the amendment introduced by the hon. member for Bellechasse--to confine the benefit of the revenues to the Roman Catholics of Lower Canada, or what grounds he proposed to take to support his position--if the hon. member founded it on the²² original intention²³ of the Donors and Testators, he must be governed by

the circumstances and times under which those intentions were expressed. The property in question was given and bequeathed prior to the division of the Province into Upper and Lower Canada--consequently the benefits were intended for all Catholics alike²⁴ ((and)) the Catholics in Upper Canada ought to have their fair share of the property,²⁵ if, on the other hand, the hon. member desired to avail himself of the act of 1832--confining the application of the funds to educational purposes in Lower Canada, he could not over look a prominent clause in that act allotting £290 sterling, to the Grammar School in Quebec, and £254 sterling to the Grammar School in Montreal--thus shewing distinctly that it was not the intention of the Legislature to apply these funds to the benefit of the Roman Catholics exclusively²⁶, the Protestants must have their share.²⁷ Mr. C. then went on to shew--the amount of the revenues, that a sum of £1250 net was desirable annually for the Seigniories and Estates--further, that of a sum of £15,000 now in the hands of the Receiver General for investment, from which it might be assumed that the return for the year 1846--would amount to £1250--equal to five percent on £25,000 for a year--for the disposal of this revenue amounting to £5500, certain schools and villages in Lower Canada were selected from the list for the support of which a vote has hitherto been passed annually by Parliament. The usual appropriations to these schools and villages amounted to £3346--to which the sum of £2150 has been added, and appropriated to Roman Catholic bodies only. The whole apportionment for the year 1846, gives two-thirds to the Roman Catholics, and one-third to other Denominations--but this apportionment it must be understood was confined to the present year--leaving the mode and proportion in, which the funds should hereafter be divided, for future decision.²⁸

MR. MORIN, stated that he did not intend to withdraw his amendment, but would leave it as ((an)) amendment to the resolution now laid on the table.²⁹

MR. LAFONTAINE, soke (sic) in French³⁰. ((He)) said that the argument that the Catholics in Upper Canada were entitled to any part of this fund would, if carried out, prove that the Catholics in Louisiana had the same right. The rights of the parties who held land for public purposes in Upper Canada, and those of parties for whose benefit property had been given, ought to be respected also. The Jesuits had held these estates only in trust, for the purposes of education conducted on Catholic principles, and he held, therefore, that the death of the Trustees could not give any right to the Government to change the original destination of the property. He contended that the disposition of these lands by the Act of the Lower Canada Legislature in 1832 was useless as an authority for such a change of destination.³¹

MR. PRES. EX. COUN. VIGER made a few remarks in French in reply to Mr. Lafontaine.³²

MR. COM. CR. LANDS PAPINEAU parla dans le sens de M. Viger³³. ((Il)) dit qu' "avant la cession on ne pouvait donner qu'aux catholiques. Aujourd'hui la société était changée. Le pouvoir souverain avait seul le droit de constituer des corporations et de les détruire. En 1832 le parlement

provincial avait fait quelques allocations a même ces revenus, dont une en faveur de l'institution royale, institution protestante. La législature reconnut alors toutes les sectes, c'est un précédent pour l'emploi des biens des Jésuites, etc.!!!"³⁴ ((Il)) termina en disant que les évêques étaient en pourparlers avec le gouvernement et il espérait que les choses s'arrangeraient à l'amiable.³⁵

The committee then rose and the speaker left the Chair till half past 3 P.M.³⁶

EVENING SITTING.³⁷

MR. CHAUVEAU argued against the Ministerial plan, not only on account of its injustice as it affected Lower Canada in opposition to Upper Canada, because he contended that the property belonged exclusively to Lower Canada, and ought not to be applied to the general revenue of the two sections of the Province. He appealed to the member from Upper Canada who desired to maintain the endowment of King's College intact, not to vote for destroying the rights of the Roman Catholics in Lower Canada.³⁸

MR. CAUCHON ((supported the amendment.))³⁹

MR. DRUMMOND regretted that circumstances prevented him from looking into this question more closely, but he thought he might be excused for not being prepared to discuss it as he could wish, when an hon. gentleman on the Treasury Benches who had formerly taken a very active part in the discussion of this question, a question so important to the people of Lower Canada, and to the Church ((to)) which they both belonged, had declined doing so, on the plea that he was not prepared. Nevertheless he (Mr. D.) would perform his duty as ably as he could. The fact was that he had been absent from the House for seven or eight days, and during this absence, these estimates were submitted to the House, however he was not altogether ignorant of the history of these Jesuits Estates, which the resolutions now before the House, intended to affect. He would then call on hon. gentlemen to consider what was the purpose for which these Estates were employed previous to the conquest of this Colony, how they were affected by that conquest, and by the act of 1832.⁴⁰ Going back to the time when the Jesuits were sent forth to enlighten the inhabitants of Canada, it would be found that grants were made by the Governments of the day, not to them individually,⁴¹ because by the rules of their order, the Jesuits, could not hold property⁴², but to them in trust, for the education of the Catholic portion of the population, and, the conversion of the Indians.⁴³ But that was not all, if hon. members would look into this matter they would find that these Estates were acquired in three different modes, First by grants of the Crown for the purposes already mentioned. Secondly, grants made by pious individuals for the same purposes, and thirdly by purchase, property acquired in that manner being held under the rule of the order for educational purposes. It would thus be seen that the Jesuits held a great amount of property when this Colony was conquered by the arms of England. (Hear, hear, hear.) What followed that event? When Quebec was taken, articles of capit-

ulation were signed, which conceded to the Church of Canada the full enjoyments of their rights, and not only that, but acknowledged its right to the property it then held, and the capitulation signed at Montreal was even more explicit on that head; it was true that one article was reserved, but subsequently all doubt was removed. He would maintain that it was unnecessary to make such stipulations in the articles of capitulation, as⁴⁴ at that time,⁴⁵ by the laws of nations, the right of conquest did not extend to the properties of individuals or corporations, but solely to the property appertaining to the Crown. Did these estates belong to the Crown of France? He contended they did not. The King of France had made a surrender of it for certain purposes, appointing the Jesuits as the holders or trustees. Therefore it would have been an act of spoliation to wrest that property from them, but no attempt of the kind was made, for to the honor of the English Crown, it protected the people of Lower Canada in the full enjoyment of all their rights, and until the year 1800, in fact as long as a single Jesuit remained not a single sixpence of the estates of that order was touched by the Government.⁴⁶ And those conditions were punctually observed down to the death of the Pere Cazoux.⁴⁷ It was clear then to every one, that at that time it was admitted this property was legally held by the Jesuits. But it was said that the Jesuits having been suppressed by an order signed from Rome,⁴⁸ ((their)) property was necessarily lost. He denied that. The representatives of that body still continued to hold property, not only in Canada but in England and Ireland, and it would be found that a provision for that purpose was made in the Pope's brief of suppression. (Here Mr. Drummond read that clause from the brief, ordering the property of the Jesuits to be given up for pious purposes, &c., as might be most in accordance with the intentions of the donors).⁴⁹ But leaving that aside, he would ask how could it be shewn that that property vested to the crown on the suppression of the order? The King of France had made a surrender of those estates for the benefit of the Catholic Church, appointing the Jesuits as the holders, and would any one say the condition of that gift was not fulfilled! Certainly not, every one must admit that the conduct of the Jesuits in this colony formed one of the brightest pages in their history. And it would be found that one order in that brief directed the estates in the possession of the Jesuits, should be appropriated for the benefit of the Church as might best suit the circumstances of the case, and the intentions of the donors. Now he would ask in what manner could those estates be appropriated, in order to fulfil the wishes of the donors? The answer could be very easily found, for not only from all the conditions under which they were granted, but by the titles under which they were originally granted, every one must admit that they were set apart for the benefit of the Catholic communities in this Province. It was however, asserted, that by the Act of 1832 of the Lower Canada Assembly, the destination of those estates as originally pointed out, was set aside. He contended that such was not the effect of that Act, as any hon. member would see who gave the subject any attention.⁵⁰ ((By passing)) the Act of 1832, it would be found that the Legislature of Lower Canada did no more than its duty in accepting the administration of these funds⁵¹. If that brief had been issued whilst the colony was still under

the Government of France, the King of France, according to the laws of that country would, as the donor have taken these estates into his controul, although their original destination could not be changed, the conditions of the gift being performed, but according to the principles of the British constitution, the Legislature and not the Sovereign became the administration of the Legislature for the benefit of the Catholic communities of Lower Canada. (Hear, hear.) It therefore became the bounden duty of the Canadians to be the gerants, as they always were of those Estates. Hon. gentlemen who supported the resolution before the House said that in future those Estates shall be devoted to educational purposes. Did they mean by that, that the act of 1832 diverted them from their original destination? Or was there any thing in that act that in the slightest degree affected the original grant? He could see nothing in it, that could warrant such an assertion. He could see nothing in that it changed the destination of those Estates, which as well before as after the conquest, were looked upon all as intended exclusively for the benefit of the Catholic population of the Colony. But even assuming that it could be contended that the Province generally was entitled to a share in these benefits, he would ask hon. members representing Lower Canadian constituencies of a different religion from that which he professed--he regretted being obliged to mention any differences in religious opinion, but he merely put the question as a lawyer and a legislator--he would ask them were they satisfied with the mode in which it was proposed to deal with this question? Were they satisfied that the charges made for educational purposes, charged hitherto on the consolidated Revenue, as in U.C., should be struck off and the Jesuits Estates employed for that purpose? He looked on it as a mere deceit to induce the people of Lower Canada to believe that the charges for educational purposes were made on the public revenue, when in reality they were made on private estates. And yet the Government coming down with a proposition to make an equal distribution between both sections of the Province, gave the Lower Canadians, in reality a sum for that purpose out of the funds of the Jesuit Estates.⁵² He would remind the House, that this fund belonged to Lower Canada, and that it could be nothing but a spoliation of that part of the Province to apply it to purposes which in Upper Canada were paid out of the general revenue of the Province.⁵³ And even admitting that all denominations had an equal right to share in these estates, his own opinion was that they had not, it must be admitted the proposed division was most unfair.⁵⁴ He believed that the Catholics of Lower Canada were as five⁵⁵ to one, in comparison with the Protestants, yet he found that £3396⁵⁶ only were to be given to the Roman Catholics, and £1799 to Protestant denominations, placing them in the ratio of one to two and a half⁵⁷, instead of one to five or six.⁵⁸

MR. AT. GEN. SMITH said, that he would not go into the question of the effects of the Conquest on these estates, for he thought that too much had been said in former times on that subject⁵⁹. ((He)) said it was assumed by hon. members who supported the amendmen (sic) that the question of the Jeusits Estates as it originally stood was still open, whereas it was finally settled by the act of 1832, passed by the Parliament of Lower Can-

ada. The only question to be then considered was had the Ministry departed in any way from the intentions of the law of 1842 (sic), in the appropriations they had made; he thought it was only necessary to refer to the act to see that they had acted in strict conformity with its meaning and provisions; it would be seen that by the statute itself appropriations were made to Protestant institutions, two Grammar Schools, which shewed that the object of the Parliament was to devote the lands to education generally. With regard to the original grants by the Crown of France he thought they were more of an absolute than a specific nature, they were not what lawyers understood by grants in trust;⁶⁰ the Jesuits were ... the absolute owners, as all other religious orders were of the property they possessed. The property was given in order to enable them to pursue certain objects, no doubt; but it was given more as a gift absolute, than as a gift for certain purposes.⁶¹ And he thought there was nothing in them to warrant the conclusion that they were intended for education according to the Catholic faith exclusively (hear, hear.)⁶² He contended, however, that the time for these considerations⁶³ ((including)) the right of the Crown arising from the Conquest,⁶⁴ was gone by, that, in fact, the Act of Lower Canada, 1832, put the question at rest for ever, except by a direct repeal of that Act, first, by vesting this property in the Provincial Government; and secondly, by appropriating it to the purposes of general education. The Hon. gentleman here read several clauses from the Act referred to, shewing that the intention of the Legislature of Lower Canada was that the funds arising from these lands should be applied to the education of the youth of the Province, without specification of religion.⁶⁵

MR. LAFONTAINE said that before the Union, all the items for educational purposes were charged on the revenue in Lower Canada, and similar charges were made on the revenue in Upper Canada, and that system prevailed until the present day, when it was proposed to make an alteration as respects Lower Canada, but to leave Upper Canada in its old position. Was that just or right? And those funds that the Government wished to appropriate in that manner, did they belong to the Province? No, but to Lower Canada exclusively, and for the greater part were produced by grants from private individuals. For the last twenty years these charges have been borne by the revenue in both sections of the Province, and the Government now wished to make an alteration prejudicial to Lower Canada. When the question of the Administration of justice was brought on the other day, what argument was used except the single one that they desired to place the Province on an equal footing in every respect? There was some kind of pretext for that charge, and what did the Lower Canadians now ask but that the two sections of the Province should be put on the same footing in this respect; that the items for education should be equally charged on the revenue? (Hear, hear.) What became then of the argument of the other day? Were the Lower Canadians--he did not speak of the Roman Catholic portion of the community alone, but of the whole--were they to be treated in this outrageous manner constantly? He called on the hon. members from Upper Canada to remember the wish they had expressed to see both parts of the Province put on the same footing and not to give their sanction to these resolutions, which had a contrary effect. There was nothing new in what he asked, nothing that

had not been already sanctioned. He asked merely that the same measure which was granted to Upper Canada should be granted to Lower Canada also, let them be struck off equally on both sides. If that resolution was carried, he knew well what would be the next demand and wish (sic) the present mode of proceeding he did not feel secure of his own Estate.⁶⁶ Mr. Lafontaine said that he denied the assertion of the hon. Attorney Gen. that these gifts to religious societies were absolute. He contended on the contrary that the Courts of Justice would have enforced the performance of the duties for which this money was intended as the payment. The act of 1832 was not an act to make a new law. It was merely declaratory of the purposes to which this fund had been destined. He then took occasion to point out to the members from the Eastern Townships the consequences of this motion.⁶⁷ He had no objection that the revenues arising from the estates should be enjoyed both by Protestants and Catholics, in their fair proportion, in Lower Canada, but he did object that Upper Canada should receive the benefit of the appropriation, by the general revenue being relieved of the charge for education in Lower Canada, heretofore borne upon it. Would Members from Lower Canada consent to this spoliation of £5000 to £6000 for the benefit of Upper Canada?⁶⁸

MR. INSP. GEN. CAYLEY would ask hon. members who are in favour of the amendment upon what principle they excluded the Roman Catholics of Upper Canada from a participation in these funds?⁶⁹

MR. LAFONTAINE said, the answer was to be found in the resolutions before the House, in which it expressly stated that the fund was appropriated expressly for the purposes of education in Lower Canada.⁷⁰ The resolution ... excludes both the Protestants and Roman Catholics of Upper Canada.⁷¹

MR. INSP. GEN. CAYLEY was perfectly satisfied with the answer. The hon. gentlemen opposite seem to be willing to let the Roman Catholics of Upper Canada take care of themselves.⁷² The appropriations proposed for the two sections of the Province, were anything but unfair towards Lower Canada. In the Estimates it would be found, that £11,000 were proposed to be voted for hospitals and charitable purposes in Lower Canada, and only £4,000 for Upper Canada.⁷³ The grants for education in Upper Canada amount of £2000, and this may be said to be paid out of the Marriage License fund, for most of this fund is paid by the people, of Upper Canada. The interest of these estates has been allowed to accumulate, while the appropriations for these Colleges and Schools of Lower Canada have been taken out of the general revenue of the Province.⁷⁴

La résolution fut combattue par ... M. BERTHELOT.⁷⁵

MR. ERMATINGER.--The hon. member for the county of Quebec has appealed to the members from Canada West to vote on this question with the majority of Lower Canada. He repudiated such a principle and would vote on every question according to its own merits. (Hear, hear.) He did not come here to do injustice to Lower Canada or any other part of the Province. It has been stated that the University question is similar to the present one; he (Mr. E.) did not think so, for King's College is not an exclusive institution, all denominations may receive the benefits of this College. It is

more like the Clergy Reserves. And the country in this case did not consider that these lands belonged to one Church. He (Mr. E.) considered that these Estates ought to be appropriated to general education.⁷⁶

MR. SOL. GEN. SHERWOOD.--Had listened with pleasure to the debate on this question, for from the statements that had been made and the documents he had read, he had been able to form a more correct judgment of the merits of this subject. The proposition before the House is, how the proceeds arising from these estates, which had been given at the time of the early settlement of the country for the education of the people and the proselytising of the Indians; but which in consequence of the order of Jesuits having become extinct in 1800 had escheated to the Crown, should be appropriated. He (Mr. S.) read an extract from the report of a Committee of the House of Assembly of Lower Canada in 1824, in which the opinion of the Crown Officers⁷⁷ given so far back as the year 1780,⁷⁸ with respect to these estates, is given⁷⁹, show((ing)) that the property of the Jesuits was, after the suppression of the Institution, applied in France to a number of different purposes, under the direction of the Government, and was so applied on the authority of the Courts of Justice, acting in a judicial, and not a Legislative, capacity. It was as follows: "as a derelict or vacant estate, His Majesty became vested in it by the clearest of titles, if the right of conquest alone was not sufficient; but even upon the footing of the proceedings in France, and the judicial acts of the Legislative Tribunals in that country the estates in this Province would naturally fall to His Majesty, and be subject to his unlimited disposal; for by these decisions it was established upon good, legal, and constitutional grounds, that from the nature of the first establishment or admission of the Society into France being conditional, temporary, and probational, they were at all times liable to expulsion; and having never complied with, but rejected the terms of their admission, they were not now entitled to the name of a society; wherefore, and by reason of the abuses and destructive principles of their Institution, they were stript of their property and possessions, which they were ordered to quit upon ten days' notice, after having been compelled to give in a full statement of all they had, with the several title deeds and documents, or proofs in support of it. Sequestrators or guardians were appointed to the management of their estates, and in a course of time, and with a regularity proportioned to their importance, provision was made for the application of them in the various ways that law, reason, justice, and policy dictated; and all this was done at the suit of the Crown Officers, by the Courts of France, as we apprehend, in a judicial, and not a Legislative capacity." In this colony, then, by the extinction of the Orders the estates escheated to the Crown in due course of law. The Lower Canadian Legislature, afterwards, with the consent of the British Government,⁸⁰ ((contained in)) a despatch from the Colonial Secretary⁸¹, prepared an Act to give the revenues arising therefrom for the purposes of general education⁸² a different purpose from which they were originally granted.⁸³ After Reports, Addresses, and Replies, all of which set forth this object, the intention was ultimately carried into effect by the Act of 1832, which set forth the appropriation of these revenues for the purposes of education,

without anything shewing that they should be for the benefit of any particular class or religion, and without any specification of its being under the charge of any other body than the Legislature, and in the same Act a part of these proceeds were given to Protestant schools.⁸⁴ (Hear, hear, hear.)-- He (Mr. S.) had read over attentively all the documents connected with this question, and in no part of them could he discover that these estates had been claimed for Catholic education merely: under these circumstances he could not doubt that the proposition of the Administration was correct. He (Mr. S.) thought the Government would have acted wrong if they had endeavoured to appropriate the proceeds of the estates for education in Upper Canada, as it was evident from the Act of 1832, that this was a special Lower Canada fund. But if the original intention of the donors were to be carried out,⁸⁵ the whole Province of Canada, as it stood before the first division, was equally entitled to a share in the advantages to be derived from these revenues, as the lands were intended for the education of the whole population of the Province, and for the conversion of the Indians, not only in Lower Canada, but up to the Sault St. Marie to the extremity of the French possessions in this continent. He considered that no sect had a right to ask for the exclusive management or advantage of the lands, after the disposition made of them by the Act of 1832.⁸⁶ The hon. gentlemen opposite are acting very inconsistently⁸⁷. To-night, ((they found it convenient to appeal to Members from Upper Canada to aid them in obtaining an advantage for the church to which they belonged, and one they had no right to ask. But they forgot that when, a few evenings ago, the Members on his side belonging to the Church of England asked that their church might have the management of lands actually declared by an Act of Parliament to be theirs they had voted en masse, to delay their reasonable request. With what consistency could they now demand that for themselves which they had so shortly before denied to others,--and to those too who had an unquestionable claim to the property they asked for, under the express provisions of an Act of the Imperial Parliament?⁸⁸ This is an inconsistency in legislation that he could not comprehend; it was making fish of one and flesh of another, (hear, hear.) He desired that a proper understanding should exist among all denominations, and that all should get their just rights.⁸⁹ The honble. and learned Member for Terrebonne had not, he said, acted fairly in endeavouring to show that it was proposed to make grants for the support of education in Upper Canada out of the consolidated revenues, and to refuse a similar boon to Lower Canada. In the distribution of the public money, the principle to be adopted was to lay it out where it was most required. It ought not be a pound, shilling, and pence question between the two Provinces, to ascertain whether more was allowed for one portion than for another.⁹⁰ He (Mr. S.) never looked over the estimates to see whether Lower Canada gets more than Upper Canada or vice versa.⁹¹ But if the honble. gentleman, he said, would examine the estimates, he would find that instead of Lower Canada not getting her proportion, it was proposed to grant to hospitals and charitable institutions there £11,000, while Upper Canada was only to get £4000 for the same purposes. He did not complain of this certainly, but he only mentioned it to show honble members that the case had not been correctly stated.⁹² He was opposed to the amendment, for it confines the benefits to one denomination of christians, of those estates, which the Government and Legislature of Lower Canada evidently meant for the general education of all sects in

Lower Canada.⁹³

MR. BALDWIN said that viewing the history of the question of the Jesuit Estates from 1793 down to 1832, it appeared to him that the intention was, that they should be applied to education generally⁹⁴ without distinction of sect⁹⁵; the despatch of Lord Goderich, which led to the passing of the Act of 1832, spoke of maintainig (sic) the then Scholastic establishments among which were Protestant Grammar Schools. It appeared to him that the true construction of the Act of 1832 was in favour of general education⁹⁶. In support of this view he read several passages from the Act of 1832. Believing, therefore, that this principle had been fully acknowledged, he could not vote for the amendment of this honourable friend from Bellechasse. However, he felt that the Government had hardly acted fairly by the House in coming down with so important a motion, without affording the House some further information⁹⁷ respecting the proportions in which the properties in question had been derived from their several sources⁹⁸. As he understood these funds arose from three different sources. The first was the grant of the French King, the second the gifts of individuals, and the third the purchase of property, which of course was bought with the means furnished out of the two before mentioned sources. Now, he took it, that the grant from the French Monarch was intended for the benefit of the inhabitants of the then Province of Quebec, and ought, he thought, to be considered applicable to all the purposes of the country. On the second hand,⁹⁹ he should like to know the quantity that emanated from private charity; he had the greatest respect¹⁰⁰ for the will of those who gave or bequeathed property for charitable purposes¹⁰¹, especially when the objects for which they were granted still exist, as is the case in Lower Canada, and he felt much difficulty upon that point. He also thought that the appropriation of the Jesuit fund ought to be for strictly Lower Canada objects, and that the ministerial proposition was not founded on justice.¹⁰² He should have been better satisfied had he known something more of the proportions in which these different sources had contributed to the gross amount.¹⁰³ These were the dtficulties (sic) he felt in supporting the Government proposition, but he had no hesitation in opposing the amendment; he would however, reserve his intention of submitting an amendment according to his own views until the present was disposed of.¹⁰⁴

MR. MORIN remarked that the act of 1832 was a consequence of the long struggle by the Legislature of the country to obtain justice from the Government which had, previously to that year, pretended to the absolute property in these lands. The Act merely declared that this was not the case, and it was rather an assertion of right than a declaration of the manner in which it was considered that the property should be applied. If however the original destination of that property had been unjustly overlooked in 1832 that did not afford any sufficient reason why the injustice should now be rectified. He knew that religious persecutions and cruelties had occurred in all countries; he did not refer to any one nation or sect, but there was no disposition for anything of that sort now, and if his motion carried there would be nothing exclusive in the system to be adopted. All classes

would have an equal opportunity of availing themselves of the education afforded. As to what had been said by some member on the subject of the Jesuits themselves, he might remark, that if all that had been written on that point could be collected the books could not be contained in that room, and it would be found that the opinions were pretty equally balanced. He thought that the judgment of the learned was undergoing a great change on that subject, at any rate there was no reason to fear anything from Jesuits in Canada. Those who were here pretended to no temporal power, and were occupied in nothing but doing good.¹⁰⁵

MR. MOFFATT.--It is an unfortunate circumstance that the proceeds of these estates were not appropriated before;¹⁰⁶ if the Jesuits' estates had been laid out on educational establishments, as they ought to have been, in 1832, instead of two grammar schools only being established, there would have been no fear at this time of having them applied to purposes which should be provided for out of the consolidated funds. Members of the Lower Canadian Legislature had no one to thank but themselves for what was now about to happen¹⁰⁷ as they ought to have appropriated them when they passed the Act of 1832.¹⁰⁸ But the fact was, that it was well known the estates would never have been given up by the British Government for the purposes of Catholic education exclusively. This being known, the definitive appropriation was, he must now conclude, purposely delayed¹⁰⁹ with the evident intention of bringing forward the proposition of the hon. member for Bellechasse at a future¹¹⁰ more favourable time¹¹¹, and if it had not been for the Union of the Provinces, there is no doubt but what this amendment would have been carried by the House of Assembly of Lower Canada, as the great majority of the members would have been Catholics. He (Mr. M) did not wish the subject to be deferred any longer; as if it was, the people of Upper Canada may lay claim to a share of these estates. He considered, however, that they had no right to any portion of them, because at the time these estates fell into the possession of the crown, and during all the discussions on this subject between the House of Assembly and the Crown, there was no mention made of Upper Canada. It had been stated that the British Government had neglected the education of the people of Lower Canada. He considered this assertion to be correct,¹¹² and that neglect had continued to the present day,¹¹³ for while the education of the inhabitants of the other Colonies had been attended ((to)), nothing had been done, except by private individuals for education in Lower Canada. A large number of acres had been promised 1801, to be set apart for school and college purposes, but this was not done. And now the application for assistance from McGill College and¹¹⁴ the High School of Montreal,¹¹⁵ is treated with neglect.¹¹⁶

The amendment was lost, Yeas 23, Nays 36.¹¹⁷

MR. LAFONTAINE agreed with the hon. member for Toronto (Mr. Sherwood,) that we should not quarrel about £ s. and d.; but when a general principle is involved, in which one part of the Province is to be placed on a different footing from the other, it ought to be discussed, and the attempt to make this distinction resisted; at the time of the Union certain grants for Colleges, &c., were paid out of the general revenue of the Province, but now it is sought to pay these out of a special Lower Canada fund, when the same

charges for Upper Canada are paid out of the consolidated revenue. This is not doing equal justice to both sections of the Province. When the question about the payment of the administration of justice expenses in U. C. was discussed, both the learned Attorney General and the hon. member for the North Riding of York, stated that Upper Canada had no claims for the payment of these expenses, but on account of high political considerations they voted for the measure. Now he asked for Lower Canada nothing more or less than was demanded by and granted to Upper Canada on that occasion; that no charge should be paid out of the consolidated revenue for one section of the Province, which was not paid for the other. He would therefore move an amendment, seconded by MR. MOFFATT, to strike out all the words which refer to these estates, being appropriated to the objects mentioned in the schedule annexed, so that the ministry may be compelled to place these charges upon the general revenue¹¹⁸, as they had hitherto been charged, so that the Jesuits estates might be appropriated to Lower Canada alone.¹¹⁹

Some further discussion ((took place)). This amendment was lost, and the original resolution passed.¹²⁰

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The question was put and lost.--Yeas 23, Nays 36.

The original motion was then carried¹²².

(281)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. DeWitt reported, that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also that he was directed by the Committee to move for leave to sit again.

Ordered, That the Report be received to-morrow.

Ordered, That the said Committee have leave to sit again to-morrow.

Militia Bill.

The Order of the Day for the House in Committee on the Bill for the better regulation of the Militia of this Province, being read;

The House accordingly resolved itself into the said Committee.

(282)

*The Honourable Mr. Moffatt took the Chair of the Committee,*¹²³

The clause exempting from service, except in time of war, the Executive Councillors, and certain other classes, ((came up)).¹²⁴

MR. LAURIN moved to strike out the last line, which contained a proviso that these persons should not be exempted from enrolment. He said that many petitions had been presented to the House relative to the conduct of the Adjutant General, in making the Militia appointments, and all had been referred to a Select Committee on this bill. The Committee, however, had not reported upon them. Now, he thought, there was every thing to fear from the appointment of Militia Officers through favouritism of the Adjutant General, and he could not help feeling that it would be very

humiliating to members of that House or of the Legislative Council, to serve under such persons.¹²⁵

MR. AT. GEN. DRAPER remarked, that these exceptions applied only to times of peace. If war should arise, all persons would be bound to turn out for the defence of the country, but the operation of the amendment would be this. Suppose a war should occur in a few months after the annual enrolment; in that case, these persons not being upon the roll, could not be called upon during all the time up to the next enrolment, and as the first draft was to serve for two years, this would be in fact a practical exemption from all service.¹²⁶

The amendment was rejected.¹²⁷

The clause authorizing the Governor General to name an Adjutant General and two Deputies, one for each section of the Province ((came up)).¹²⁸

DR. LATERRIERE: En comité spécial auquel a été référé ce bill je me suis prononcé contre la nomination d'un adjutant général en chef; parce que ce serait créer un pouvoir dictatorial, de plus dépenser inutilement \$1,000, créer une vraie sinécure.

Parce que, ce serait admettre le principe, consacrer par un acte l'injustice de l'union des deux provinces que l'on nous a imposé sans notre consentement et contre laquelle nous ne pouvons trop protester.

Parce que, ce serait vouloir amalgamer et faire opérer dans des tems critiques et difficiles un état de chose, qui même dans cette chambre, ne peut point s'amalgamer et ne pourra jamais bien marcher.

Parce que, nous (Canadiens-français comme on nous appelle) donnerions par cela notre consentement à un autre espèce d'asservissement; à un asservissement tout militaire, que l'on voudrait encore nous imposer par une de ces ruses de guerre, même avec l'apparence de notre consentement; si bien que, de conséquence en conséquence, il ne serait plus possible d'arrêter l'envahissement de tous nos droits, nous tomberions dans un état d'infériorité semblable à celle des aborigènes comme le disait si bien l'année dernière, mon chaleureux, mon loyal ami, le représentant de l'Islet.

Ne vient-on pas de voir il y a un instant, le ministère, le premier ministre en tête, marque levé, de nous attacher d'une manière insidieuse les revenus des propriétés des jésuites que le Bas-Canada s'était fait rendre par le gouvernement après une lutte de justes réclamations pendant vingt ans? Et combien nous faudra-t-il d'actes de cette nature pour nous faire ouvrir les yeux?

Parce que, si les Américains envahissent le pays, ce ne sera pas comme en 1812, en se battant inutilement sur les lacs, dans le Haut-Canada.--Ce sera sur trois points vulnérables dans le Bas-Canada. Thémiscouata, Kenebec et Montréal--Ce sera dans le Bas-Canada que sera décidé cette fois le sort de l'Amérique septentrionale. C'est donc dans le Bas-Canada qu'il faut créer, organiser une bonne milice défensive. Il faut donc que l'esprit de favoritisme, de patronage, attributions de l'exécutif, s'efface pour appeler à commander des hommes libres, ceux d'entre eux qui possèdent le plus leur confiance.

Au lieu d'unir les milices sous le même département, c'est de les diviser comme ci-devant pour créer de l'émulation: c'est de donner au Haut-Canada son adjutant général, au Bas-Canada le sien et de leur adjoindre des députés en tems de guerre.

D'après ces raisons, et bien d'autres qui ne se disent pas, mais qui ne se sentent pas, moins, je suis décidemment (sic) contre cette innovation, et je ferai motion que la clause 32 soit retranchée et que la suivante lui soit substituée.

Dr de LaTerrière fait motion que la clause trente-troisième soit retranchée et que la suivante lui soit substituée:

Et qu'il soit statué, qu'il sera loisible au gouverneur de nommer, par des commissions sous son seing et sceau, deux adjudans généraux de milice, l'un pour le ci-devant Bas-Canada et l'autre pour le ci-devant Haut-Canada, qui seront respectivement stationnés dans tel lieu ou lieux que le gouverneur prescrira et de signer de tems à autre, et dont les devoirs seront de donner les ordres généraux de milice, de préparer, dresser et émaner les commissions des officiers de milice, d'organiser, exercer, discipliner et administrer les dites milices, et de remplir les autres devoirs qui sont du ressort des bureaux des adjudans-généraux des milices, en obéissance aux ordres qui seront donnés, et aux réglemens qui seront établis de tems à autre par le gouverneur-général de cette Province en tems de paix: pourvu aussi qu'il sera loisible au gouverneur de nommer de la même manière, et d'adjoindre à chaque adjudant-général en tems de guerre, un assistant adjudant-général sujet aux devoirs de la présente clause.¹²⁹

M. CHAUVEAU ((a secondé la motion)).¹³⁰

M. CAUCHON parla en faveur de l' amendement.¹³¹

DR. TACHE thought there was not much fault in the manner in which the law had been executed. The misfortune was the division of the population into two races whose passions were too frequently excited against one another. The officer who had fulfilled the duty of Adjutant General in Lower Canada, had, as he thought, performed his task honestly and worthily, and he (Dr. Taché) was convinced, that no man placed in the same position could have done better than he did. As to that gentleman being English, he was no more English than himself, although he was certainly closely connected with the English part of the population. He knew that that fact was enough to prejudice many of his (Dr. Taché's) countrymen against him, just as the fact of the Adjutant General being a French Canadian would, if that were the case, prejudice many of the other race against him. He was quite sure, that if a gentleman of French race were appointed, these feelings were so strong, that before he had officered two battalions, there would be more objections to him than there were now to Colonel Gury. It was important that both parties should be protected, and he thought that would be best done by having an Adjutant General of one race, and a Deputy of another. (As we understood the hon. member.) It might be said that he desired to keep up distinctions. Not at all. He ardently desired to destroy them, but while they existed, it was desirable as much as possible to restrain the feelings arising from them, and he thought that would be best done in the manner he proposed.¹³²

MR. CHRISTIE desired to know what the new machinery would cost?¹³³

MR. AT. GEN. SMITH said, the Ministry were not prepared to answer that question.¹³⁴

MR. G. MACDONELL (Dundas) desired to have two deputies, one for each section of the Province, and an Adjutant General¹³⁵. L'adjutant-général devrait avoir un siège dans la chambre, afin de pouvoir répondre aux plaintes qui seraient faites au sujet des nominations, vu que le ministère avait toujours soutenu que le gouvernement n'était nullement responsable des actes de l'adjutant-général.¹³⁶

MR. D. MACDONELL (Stormont) thought that the Adjutant General should be constantly at the seat of Government, and that his deputies should reside, one perhaps at Kingston or Toronto, and the other in the Eastern part of the Province, so as to keep up a complete system of correspondence.¹³⁷

DR. NELSON had heard that the clause now under discussion was a cunning contrivance on the part of the Government to get rid of the present Adjutant General Gagy.¹³⁸

MR. AT. GEN. DRAPER said, that the only reply he could give to that observation was, that in 1842, long before there was any question about Col. Gagy, he had (sic) introduced a bill containing a clause precisely similar to the one now before the Committees.¹³⁹

DR. NELSON was glad to hear that, and was happy that he had given the hon. Attorney Gen. an opportunity to explain.¹⁴⁰ ((Il dit:)) Il y a plusieurs parties du bill des milices maintenant sous considération, auxquelles je m'oppose fortement. Je ne comprends pas la nécessité qu'il y a pour un adjudant général pour toute la province, et deux députés, l'un pour le Bas et l'autre pour le Haut-Canada. En 1812; il y avait un adjudant général pour chaque province; et il serait heureux pour l'administration, si la milice aujourd'hui s'organisait aussi bien qu'alors. Dans le petit bataillon de milice, où je résidais, qui n'était composé que de quatre paroisses, 960 combattants ont volé sur les frontières pour défendre le sol de la patrie. Pour nous, soyons bien gouvernés, et l'Angleterre n'aura guère besoin d'envoyer des troupes pour défendre le pays. Que le gouvernement se conduise de manière à nous attacher à lui; qu'il nous laisse la jouissance de tous nos droits constitutionnels, de l'esprit de nos lois et nos privilèges, et ayant alors intérêt à combattre pour un gouvernement aussi juste, tout ira bien; car il n'y a pas d'armée aussi forte que toute une population contente et heureuse. Que les Canadiens soient donc certains que leurs droits seront respectés, non pas pour un moment mais bien pour toujours, et les triomphes de 1812 se répéteront sur nos frontières. La maison de chaque brave habitant serait une forteresse contre l'ennemi,--chaque arbre et chaque souche serait un redoute derrière laquelle le citoyen soldat porterait des coups certains et meurtriers; car l'on sait que nos compatriotes sont bons tirailleurs. Je vois dans ce bill qu'il y a une forte amende à payer pour celui qui n'obéirait pas promptement à ses ordres, qui sont très souvent mal donnés et mal compris. Je m'oppose donc à ce que l'amende soit de huit piastres parce que n'y a-t-il pas une foule de circonstances qui peuvent justifier la non-obéissance? mais non, il faut harasser le peuple! Du moins qu'il soit dit n'excédant pas huit piastres--alors on pourra mitiger la punition selon que la valeur du délit le demandera. On est toujours bien pressé de punir le coupable, mais on se donne garde de faire provision pour

indemniser celui dont on aura estropié le cheval, brisé la voiture, ou auquel on aura fait tout autre injustice. Il est à ma connaissance que plusieurs fois les chevaux sont tombés sous les coups qu'ils recevaient lorsqu'on voulait leur faire traîner un fardeau qui aurait été la charge de deux chevaux. J'ai vu la voiture chargée au-delà de toute raison, après quoi cinq ou six soldats grimpaient dessus et se faisaient aussi traîner; et si le pauvre maître s'en plaignait, on lui imposait silence à coup de bayonnette. Ce n'est pas ainsi qu'un peuple libre, et dont on a grandement besoin, doit être traité.

On veut aussi choisir dans les villes et les villages les officiers pour commander la milice, je ne veux pas de ceci. Quoi, prendre les faquins des villes dont la parenté et les noms ne sont pas même connus de nos habitants! pour mettre à la tête d'honnêtes, braves et respectables habitants de nos campagnes! C'est outrageant! Je sais quelle est l'estime que nos vertueux cultivateurs portent à ces beaux messieurs, les habits-à-poches qui quelquefois se promènent dans les campagnes et qui choquent les mœurs de nos paisibles habitants, par leur insolence et par leurs espiègleries pour ne pas dire leurs vices, monsieur, je m'opposerai de toutes mes forces à une pareille mesure. En 1812 on a vu les officiers choisis parmi les habitants eux-mêmes. Et qui est-ce qui a conservé encore une fois ce pays à l'Angleterre, si ce n'est pas ces mêmes hommes auxquels on veut ôter le commandement aujourd'hui. Que les capitaines et les officiers soient pris dans chaque localité ou campagne. C'est parmi les meilleurs qu'il faut prendre des officiers jouissant à juste titre de la confiance de ceux au milieu desquels ils ont nés, ont vécu, et avec qui ils vivent encore. Donnez d'autres commandants et leur dévouement aurait en raison de la confiance qu'ils ont dans les habits-à-poches, des étrangers dont ils n'ont jamais entendu parler, et qu'ils doivent nécessairement regarder plutôt comme des tyrans et des gens qui veulent les commander en maîtres, que comme compagnons d'armes ou amis.

Je n'aime pas non plus le projet de créer trois adjudants-généraux. Il me semble que ces situations sont faites par les ministres pour se débarrasser d'un homme qu'ils ont peur d'attaquer de front. Si le présent adjudant-général ne jouit ni de la confiance, ni du respect du pays, qu'on le renvoie de suite d'une place qu'il ne mérite pas, à cause de son impopularité, il ne peut faire que du mal. Sans doute on a encore quelque favori à placer.¹⁴¹ He would say it was not so much an object to save a few hundred pounds per annum as to obtain a well qualified officer. Now, he thought it would not be necessary to go very far to put the finger on a man of high and manly character with a natural turn for military affairs and so generous a mind that he would never attempt to crush an adversary merely because he was opposed to him in politics.--He would not presume to name him to the ministry by way of dictation, first of all because it would not be seemly, and again because his recommendation would, he feared, be of a little service. (Laughter in which Dr. Nelson joined) He repeated he did not presume to dictate: he knew the gentlemen opposite were only anxious, in this respect at least, for the good of the country, and he was sure, whatever appointment they made would do them honour.¹⁴² L'on doit choisir pour adjudant-général un homme avantageusement connu du pays, si ce n'est pas par

ses propres actions, que ce soit par celles de ses ayeux; qu'il porte de même un nom connu et respecté, que ses pères aient rendu des services signalés à la patrie. Dans toutes la sincérité de mon âme, je prononce ici que j'étais digne de la place et que les ministres voulussent me la donner, danger auquel ces bons messieurs ne m'exposent jamais, et par pure honte pour moi, sans doute, je refuserais cette offre, et dirais, ... donnez cette place à une personne dont l'origine est celle de la grande majorité du pays, cela appartient au Canadien-français, pas à d'autre, mais surtout ne choisissez pas un homme pour mettre à la tête de braves, qui n'ait déjà fait preuve de courage et de prudence, et dont le caractère aura été flétri par des actes de lâcheté qui lui aurait (sic) mérité destitution en cour martiale. Parmi maints Canadiens je pourrais indiquer quelques-uns qui ont un titre immédiate et indisputable à cette situation. Par exemple,¹⁴³ the descendants¹⁴⁴ du brave et hardi marin, qui a traversé sir Guy Carleton à Québec, et au milieu d'une foule de danger, le débarqua au moment où les marchands Anglais se décidaient à rendre la ville à l'ennemi; et, vraisemblablement si le Canada appartient encore à l'Angleterre, c'est dû à l'énergie, la bravoure et la loyauté de cet intrépide matelot, qui dans son frêle canot d'écorce transporta le gouverneur du pays au lieu de sa destination.¹⁴⁵ And some of ... ((his descendants)) possessed talents which qualified them to fill the highest offices in the State.¹⁴⁶ Il y a aussi les fils du vaillant héros de Chateauguay, qui avec 300 Canadiens a triomphé de vingt fois ce nombre d'ennemis pendant la dernière guerre.¹⁴⁷ The gentleman he had already referred to ((previously)) was one who had not only stood up for his country in the hour of danger, but had hereditary claims which were acknowledged by every man in Upper and Lower Canada. He had been always the first to volunteer for every difficult service, and was at Plattsburgh as a volunteer when only a boy in his teens¹⁴⁸, pendant les années 1812-13 et 18, et qui a donné maintes preuves d'une bravoure éclatante et d'une énergie indomptable. J'ai connu le frère de ce monsieur, aussi mon ami, et jamais une compagnie légère n'eut un plus vigoureux et un plus brave capitaine, oui, monsieur, chez les Canadiens on trouve tout ce qu'il faut pour le métier de la guerre, et s'en acquitter avec honneur, succès et autant d'humanité qu'il est possible d'en avoir en de semblables circonstances.¹⁴⁹ Above all he would say that the best defence a country could have was a people contented and proud of their institutions. Canadians had good reason to be contented and proud of the constitution which at present existed, only let it be fairly carried out¹⁵⁰. Traitez-nous seulement avec justice, et que nous soyons certains que cette justice sera permanente et non pas pour servir les exigences du moment, et l'Angleterre n'aura guère besoin de couvrir de ses troupes, ce beau pays qui mérite d'être prospère et heureux à bien des titres.¹⁵¹

The hon. member concluded his remarks by quoting from Cowper.

"England! with all thy faults I love thee still."¹⁵²

M. CHRISTIE s'opposa à ce que l'adjudant eût un siège dans la chambre¹⁵³.

M. GOWAN s'exprima dans le même sens ((que M. Christie)).¹⁵⁴ OR
Gowan supported the motion although he would not venture at that moment to

give an opinion whether or not the Adjutant General should or should not have a seat in Parliament. He thought that the Adjutant General and his deputies ought all to have their residence in Montreal.¹⁵⁵

The amendment was then rejected, and the original motion carried.¹⁵⁶

The other clauses were then passed, nearly in the form proposed,¹⁵⁷
 ((et)) presqu'à toutes à l'unanimité.¹⁵⁸

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honourable Mr. Moffatt reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

On motion of the Honourable Mr. Robinson, seconded by Mr. Smith of Frontenac,

Adjournment.

Ordered, That when this House doth adjourn, it will adjourn until to-morrow at Eleven o'clock A.M.

Montreal and
Kingston Rail-
road Bill.

The Order of the Day for the House in Committee on the Bill to incorporate "the Montreal and Kingston Railroad Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Montreal and
Lachine Rail-
road Bill.

The Order of the Day for the House in Committee on the Bill to incorporate "the Montreal and Lachine Railroad Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonald of Glengarry took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonald of Glengarry reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Hamilton
Incorpora-
tion Bill.

The Order of the Day for the House in Committee on the Bill to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a City, being read;

The House accordingly resolved itself into the said Committee.

Mr. Hall took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Hall reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Orders Post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of Mr. Laurin, seconded by Mr. Hale,
The House adjourned until to-morrow at Eleven o'clock, A.M.

APPENDIX, 27 MAY 1846.

((NOTICE OF ADDRESS RE: REBELLION LOSSES IN UPPER CANADA.))¹⁵⁹

MR. ROBINSON gave notice of an Address to the Governor General, praying that steps might be taken to pay the Rebellion Losses in Upper Canada at once. The hon. member stated that the Government had given notice of its intention to pay 30 percent, upon the claims, but as many of them were as small as for sums of five pounds, it was feared that under this arrangement they would be bought up by speculators at a great loss to the real claimant.¹⁶⁰

((QUESTION AND ANSWER RE: DISTRICT OF THREE RIVERS COMMISSIONERS OF BANKRUPTS.))¹⁶¹

MR. DRUMMOND enquired of the ministry if it was their intention to grant any salary to the Commissioner of Bankrupts for the District of Three Rivers.¹⁶²

MR. AT. GEN. SMITH replied that it was not their intention to grant any salary, but said there had been some hardships in the case of Mr. Pacaud, and when the Bankrupt bill comes under discussion, some relief may perhaps be devised for him.¹⁶³

FOOTNOTES - 27 MAY 1846.

1. MONTREAL TRANSCRIPT, 30 May 1846.
2. IBID.
3. There is a commentary on this matter in LA MINERVE, 28 May 1846.
4. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 30 May 1846, and MONTREAL GAZETTE, 29 May 1846, in accounts which contain some identical speeches, and some which are completely dissimilar; MIRROR, 27 May 1846, KINGSTON NEWS, 4 June 1846, PILOT, 30 May 1846, and LE JOURNAL DE QUEBEC, 9 June 1846, copying LA REVUE CANADIENNE, in accounts which are identical except that in LE JOURNAL DE QUEBEC, some speeches have been omitted entirely; LA MINERVE, 28 May 1846, whose account was copied by LE CANADIEN, 1 June 1846; LE CANADIEN, 29 May 1846; LE JOURNAL DE QUEBEC, 30 May 1846; and LA MINERVE, 1 June 1846. Commentaries were found in: LE CANADIEN, 15 June 1846, copying LA REVUE CANADIENNE; L'AUREOLE, 6 June 1846, copying LE CANADIEN, 1 June 1846; L'AUREOLE, 3, 6 June 1846; LE CANADIEN, 5 June 1846; and the COBourg STAR, 3 June 1846, copied from the MONTREAL COURIER.
5. MONTREAL GAZETTE, 29 May 1846.
6. IBID.
7. MIRROR, 27 May 1846.
8. MONTREAL GAZETTE, 29 May 1846.
9. MIRROR, 27 May 1846.
10. LE JOURNAL DE QUEBEC, 30 May 1846.
11. MIRROR, 27 May 1846.
12. LA MINERVE, 1 June 1846.
13. LE JOURNAL DE QUEBEC, 30 May 1846.
14. LA MINERVE, 1 June 1846.
15. LE JOURNAL DE QUEBEC, 30 May 1846.
16. IBID.
17. IBID.
18. LA MINERVE, 1 June 1846.
19. MIRROR, 27 May 1846.
20. MONTREAL TRANSCRIPT, 30 May 1846.
21. MIRROR, 27 May 1846.
22. MONTREAL TRANSCRIPT, 30 May 1846.
23. MONTREAL GAZETTE, 29 May 1846.
24. MONTREAL TRANSCRIPT, 30 May 1846.
25. MONTREAL GAZETTE, 29 May 1846.
26. MONTREAL TRANSCRIPT, 30 May 1846.
27. MONTREAL GAZETTE, 29 May 1846.
28. MONTREAL TRANSCRIPT, 30 May 1846.
29. MIRROR, 27 May 1846.
30. IBID.
31. MONTREAL GAZETTE, 29 May 1846.
32. MIRROR, 27 May 1846.
33. LE JOURNAL DE QUEBEC, 30 May 1846.
34. LA MINERVE, 1 June 1846.

35. LE JOURNAL DE QUEBEC, 30 May 1846.
36. MIRROR, 27 May 1846.
37. MONTREAL GAZETTE, 29 May 1846. LA MINERVE, 29 May 1846, commented:
"Le débat fut repris dans la séance du soir et dura jusqu'à une heure
avancée de la nuit."
38. MONTREAL GAZETTE, 29 May 1846.
39. LA MINERVE, 28 May 1846.
40. MIRROR, 27 May 1846.
41. MONTREAL GAZETTE, 29 May 1846.
42. MIRROR, 27 May 1846.
43. MONTREAL GAZETTE, 29 May 1846.
44. MIRROR, 27 May 1846.
45. MONTREAL TRANSCRIPT, 30 May 1846.
46. MIRROR, 27 May 1846.
47. MONTREAL TRANSCRIPT, 30 May 1846.
48. MIRROR, 27 May 1846.
49. MONTREAL TRANSCRIPT, 30 May 1846.
50. MIRROR, 27 May 1846.
51. MONTREAL GAZETTE, 29 May 1846.
52. MIRROR, 27 May 1846.
53. MONTREAL GAZETTE, 29 May 1846.
54. MIRROR, 27 May 1846.
55. MONTREAL GAZETTE, 29 May 1846. The MIRROR, 27 May 1846, printed "six
to one".
56. MONTREAL GAZETTE, 29 May 1846. The MIRROR, 27 May 1846, quoted the
figure as £3,201.
57. MONTREAL GAZETTE, 29 May 1846.
58. MONTREAL TRANSCRIPT, 30 May 1846.
59. MONTREAL GAZETTE, 29 May 1846.
60. MIRROR, 27 May 1846.
61. MONTREAL TRANSCRIPT, 30 May 1846.
62. MIRROR, 27 May 1846.
63. MONTREAL GAZETTE, 29 May 1846.
64. MIRROR, 27 May 1846.
65. MONTREAL GAZETTE, 29 May 1846.
66. MIRROR, 27 May 1846.
67. MONTREAL TRANSCRIPT, 30 May 1846.
68. MONTREAL GAZETTE, 29 May 1846.
69. MIRROR, 27 May 1846.
70. IBID.
71. MONTREAL GAZETTE, 29 May 1846.
72. MIRROR, 27 May 1846.
73. MONTREAL GAZETTE, 29 May 1846.
74. MIRROR, 27 May 1846.
75. LA MINERVE, 29 May 1846.
76. MIRROR, 27 May 1846.
77. IBID.
78. MONTREAL GAZETTE, 29 May 1846.
79. MIRROR, 27 May 1846.

80. MONTREAL GAZETTE, 29 May 1846.
81. MIRROR, 27 May 1846.
82. MONTREAL GAZETTE, 29 May 1846.
83. MIRROR, 27 May 1846.
84. MONTREAL GAZETTE, 29 May 1846.
85. MIRROR, 27 May 1846.
86. MONTREAL GAZETTE, 29 May 1846.
87. MIRROR, 27 May 1846.
88. MONTREAL GAZETTE, 29 May 1846.
89. MIRROR, 27 May 1846.
90. MONTREAL GAZETTE, 29 May 1846.
91. MIRROR, 27 May 1846.
92. MONTREAL GAZETTE, 29 May 1846.
93. MIRROR, 27 May 1846.
94. IBID.
95. MONTREAL GAZETTE, 29 May 1846.
96. MIRROR, 27 May 1846.
97. MONTREAL GAZETTE, 29 May 1846.
98. MIRROR, 27 May 1846.
99. MONTREAL GAZETTE, 29 May 1846.
100. MIRROR, 27 May 1846.
101. MONTREAL GAZETTE, 29 May 1846.
102. MIRROR, 27 May 1846.
103. MONTREAL GAZETTE, 29 May 1846.
104. MIRROR, 27 May 1846.
105. IBID.
106. IBID.
107. MONTREAL GAZETTE, 29 May 1846.
108. MIRROR, 27 May 1846.
109. MONTREAL GAZETTE, 29 May 1846.
110. MIRROR, 27 May 1846.
111. MONTREAL GAZETTE, 29 May 1846.
112. MIRROR, 27 May 1846.
113. MONTREAL GAZETTE, 29 May 1846.
114. MIRROR, 27 May 1846.
115. MONTREAL GAZETTE, 29 May 1846.
116. MIRROR, 27 May 1846.
117. IBID.
118. IBID.
119. MONTREAL GAZETTE, 29 May 1846.
120. IBID.
121. MIRROR, 27 May 1846.
122. IBID.
123. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 30 May 1846; and LA MINERVE, 4 June 1846. Dr. Laterrière submitted this version of his own speech to LA MINERVE to correct the account which appeared in the MONTREAL TIMES.
124. MONTREAL TRANSCRIPT, 30 May 1846.
125. IBID.

126. IBID.
127. IBID.
128. IBID.
129. LA MINERVE, 4 June 1846.
130. IBID.
131. IBID.
132. MONTREAL TRANSCRIPT, 30 May 1846.
133. IBID.
134. IBID.
135. IBID.
136. LA MINERVE, 4 June 1846.
137. MONTREAL TRANSCRIPT, 30 May 1846.
138. IBID.
139. IBID.
140. IBID.
141. LA MINERVE, 4 June 1846.
142. MONTREAL TRANSCRIPT, 30 May 1846, which noted that Dr. Nelson joined the laughter "very good humouredly."
143. LA MINERVE, 4 June 1846.
144. MONTREAL TRANSCRIPT, 30 May 1846.
145. LA MINERVE, 4 June 1846.
146. MONTREAL TRANSCRIPT, 30 May 1846.
147. LA MINERVE, 4 June 1846.
148. MONTREAL TRANSCRIPT, 30 May 1846.
149. LA MINERVE, 4 June 1846.
150. MONTREAL TRANSCRIPT, 30 May 1846.
151. LA MINERVE, 4 June 1846.
152. MONTREAL TRANSCRIPT, 30 May 1846.
153. LA MINERVE, 4 June 1846.
154. IBID.
155. MONTREAL TRANSCRIPT, 30 May 1846.
156. IBID.
157. IBID.
158. LA MINERVE, 4 June 1846.
159. This notice was reported by: MONTREAL GAZETTE, 29 May 1846, and BRITISH COLONIST, 2 June 1846, in identical accounts.
160. MONTREAL GAZETTE, 29 May 1846.
161. This exchange was reported by: MIRROR, 27 May 1846, and the PILOT, 30 May 1846, in identical accounts.
162. MIRROR, 27 May 1846.
163. IBID.

THURSDAY, 28 MAY 1846.

11:00 O'CLOCK, A.M.

(28")

Petitions laid
on the table.

THE following Petitions were severally brought up
and laid on the table.

By the Honourable Mr. Robinson,--The Petition of
James Wickens, Esquire, President of the Simcoe Agricultural Society.

By Mr. Cummings,--The Petition of the Municipal Council of the District
of Niagara, (relating to the County Town)--and the Petition of the Municipal
Council of the District of Niagara, (relating to the place of holding their
Sittings.)

By the Honourable Mr. Daly,--The Petition of the Reverend Daniel Henry
and others, the Independent Church and Congregation of Inverness, Megantic.

By the Honourable Mr. Baldwin,--The Petition of William R. Beaumont,
F. R. C. S. Eng., and others, Medical Practitioners in Upper Canada.

Sheriffs'
Poundage
Bill.

An Engrossed Bill to regulate the poundage to be
received by Sheriffs on Executions, and for other
purposes therein mentioned, was read for the third
time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sherwood of Brockville do carry the said Bill to the Leg-
islative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the Day, the following
Petitions were read.

Of Lachlin Stewart and others, of the Eastern and Ottawa Districts,
praying for aid to improve the Road from Cornwall to L'Orignal, passing by
the Caledonia Springs.

Of Mrs. Elizabeth M'Givern, of the Town of Bytown, complaining that
the Principal Officers of Her Majesty's Ordnance in the said Town, have re-
fused to admit her title to a certain Lot in the said Town, and praying re-
lief.

Of Jared Vining, Esquire, on behalf of the Municipal Council of the
District of Brock, praying that the Clergy Reserve Lands may be sold in ac-
cordance with the Imperial Act.

Of Elliot Grieve, Senior, and others, of the Township of Westminster,
praying that no partition be made of the Endowment of the University of
King's College, but that it may be secured from mismanagement, and estab-
lished upon a broad and permanent basis.

Of John Short, Henry Long and others, Members of the United Church of
England and Ireland, in the Township of London, in the Diocese of Toronto;
praying that measures may be adopted for vesting in the Church Society of
the Diocese of Toronto, for the benefit of the said Church, such a portion
of the Clergy Reserve Lands as shall correspond with their share of the in-
come arising from the same.

Of the Municipal Council of the District of Simcoe; complaining that a grant made for the improvement of certain Roads in the said District has not been expended thereon; and of the mismanagement of the said grant, and praying relief.

Of James Kerby, Lessee of the Crown Ferry at Fort Erie Rapids, Niagara District, praying for certain amendments to the Bill relating to Ferries in Upper Canada.

On motion of Mr. Christie, seconded by Mr. Leslie,

Gaspé Mar-
riages, &c.
Bill.

Resolved, That the Documents, Evidence, and Proofs,
upon which is founded the Bill, intituled, "An
Act to revive for a limited time An Act therein
mentioned, relating to the Proving and Recording

of certain Marriages solemnized in the late Inferior District of Gaspé, an-

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terior to the year one thousand eight hundred and twenty-one, including also Baptisms and Burials," be communicated by Message to the Honourable the Legislative Council.

Ordered, That Mr. Christie do carry the said Message to the Legislative Council.

New Bruns-
wick Boun-
dary.

On motion of Mr. Christie, seconded by Mr. Taché,

Resolved, That the Engrossed Address to Her Majesty on
the subject of the Boundary Line between this
Province and the Province of New Brunswick, be

communicated, by Message, to the Honourable the Legislative Council, requesting the concurrence of their Honours thereto.

Ordered, That Mr. Christie do carry the said Message to the Legislative Council.

On motion of the Honourable Mr. Robinson, seconded by Mr. Duggan,

Address,
Railway Com-
munications.

Resolved, That an humble Address be presented to His
Excellency, the Governor General, informing His
Excellency that this House has adopted an Address
to Her Majesty, on the subject of the Despatch

of Her Majesty's Secretary of State for the Colonies, on the Railway communications in this Province, and requesting that His Excellency will be pleased to transmit the same to the Right Honourable the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be Engrossed.

Ordered, That the said Address be presented to His Excellency, the Governor General, together with the Address to Her Majesty therein referred to, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Macdonell of Stormont, seconded by Mr. Chauveau,

Address, Treasurer's Eastern District.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, Copies of all Representations from the Municipal or District Council of the Eastern District of Canada West to the Executive Government, complaining of the public conduct of the Treasurer of the said District;--and Copy of the Correspondence of the Treasurer of the said District in reply to the said representations;--as also Copy of the Reports of the Executive Government on the subject thereof.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Drummond, seconded by Mr. Lantier,

Address, L. E. Pacaud, Esq.

Resolved, That an humble Address be presented to His Excellency, the Governor General, praying that he will be pleased to cause to be laid before this House all Correspondence which has taken place between His Excellency, His Excellency's Predecessor Lord Metcalf, and the Members of the Provincial Administration, on one hand, and Louis Edouard Pacaud, Esquire, Commissioner of Bankrupts for the District of Three Rivers, on the other, relative to Mr. Pacaud's claim for remuneration and salary, for the services by him performed and to be performed under the 7th Vict. chaps. 16 and 18.

Ordered, That the said Address be presented to His Excellency, the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Cobourg Railroad Bill.

On motion of the Honourable Mr. Robinson, seconded by Mr. Duggan,

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to revive and amend the Act of Upper Canada, incorporating the Cobourg Railroad Company, and for other purposes therein mentioned," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 5 Line 15.--After "now" insert "or may be hereafter."

" " " 29.--After "provided" insert Clause A, as follows:--

CLAUSE A.

"And be it enacted, that if after eight days notice in writing, given to the party so disagreeing as to the value aforesaid, such party shall not nominate or appoint an arbitrator or arbitrators as aforesaid on his part, or if the land required by the said Company be the property of a Minor or Lunatic, or person absent from this Province, then and in any such case, the Judge of the District Court of the said District

of Newcastle, shall and may nominate and appoint one or more arbitrator or arbitrators on their behalf, with the same powers and authority as if appointed by the party or parties so refusing or neglecting to appoint an arbitrator or arbitrators in his or their behalf, or so being a Minor or Lunatic, or absent from this Province, including the power to meet and ballot for the additional arbitrator or umpire."

- " 6 " 4.--Leave out from "the" to "to", both inclusive, in the fifth line.
- " 8 " 37.--Leave out from "all" to toll," both inclusive, and insert "Her Majesty's Mail, and persons, animals, and carriages employed in the conveyance thereof, Her Majesty's Officers and Soldiers being in proper Staff or Regimental, or Military Uniform dress or undress, and their Horses, (but not when passing in a hired or private vehicle,) and all carriages and horses belonging to Her Majesty, or employed in Her service, when conveying persons in such service or returning therefrom, and all recruits marching by route, and all persons, animals and carriages attending Funerals on any day in the week, or going to or returning from Divine Service on the Lord's Day, shall pass Toll free

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through any Turnpike and Toll-Gate to be erected under the authority of this Act."

- " 9, Line 17.--Leave out "June" and insert "July."
- " 10, " 30.--Leave out "June" and insert "July."
- " " " 35.--Leave out "June" and insert "July."
- " 12, " 24.--After "Trial" insert the following Clauses, B. C. and D.

CLAUSE B.

"And be it enacted, that for and notwithstanding any thing in this Act contained, it shall and may be lawful for the said Cobourg and Rice Lake Plank Road and Ferry Company, in their discretion, to Macadamize all or any part of the said Road which they are here authorized to construct, upon the terms, conditions, and restrictions, and subject to the observance of the formalities hereinbefore prescribed; and that in the event of their doing so, the words 'Plank Road' wherever they occur in this Act, shall be construed to mean either a Macadamized Road, or a Road partly Macadamized and partly Planked, as the case may require."

CLAUSE C.

"Provided always, and be it enacted, that the said Company shall at all times when thereunto required by Her Majesty's Deputy Post Master General, the Com-

mander of the Forces, or any person having the superintendence or command of any Police Force, convey Her Majesty's Mail, Her Majesty's Naval or Military Forces or Militia, and all Artillery, Ammunition, provision or other stores for their use, and all Policemen, Constables and others, travelling on Her Majesty's Service across the said Rice Lake in their Ferry Boats, on such terms and conditions and under such regulations as the said Company and the said Deputy Post Master General, the Commander of the Forces, or person in Command of any Police Force respectively, shall agree upon, or if they cannot agree; then on such terms and conditions, and under such regulations as the Governor, or person administering the Government shall in Council make, and provided also that any further enactment which the Legislature of this Province may hereafter deem it expedient to make with regard to the carriage of the said Mail or Her Majesty's Forces and other persons or articles as aforesaid, or the rates to be paid for carrying the same, or other service to be rendered by the Company to the Government, shall not be deemed an infringement of the privileges intended to be conferred by this Act, and nothing in this Act contained shall be construed to authorize the said Company to take or enter upon any Lands or Real Estate of any kind belonging to Her Majesty, Her Heirs or Successors, or vested in or held in trust by the principal Officers of Her Majesty's Ordnance or any public body, person or party in trust for the use or services of Her Majesty, Her Heirs or Successors, whether such Real Estate be held in fee simple or for any less Estate during the continuance of such Estate, unless the entering upon or taking of such Lands or Real Estate be authorized by the Governor in Council or by the Commander-in-Chief of Her Majesty's Forces in this Province."

CLAUSE D.

"And be it enacted, that nothing herein contained shall affect or be construed to affect in any manner or way whatsoever the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any Bodies Politic, Corporate or Collegiate, such only excepted as are herein mentioned."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. Robinson do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath

agreed to their amendments.

Expiring
Laws Bill.

The Order of the Day for the second reading of the Bill to continue for a limited time certain Acts and Ordinances, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Supply.

Mr. DeWitt, from the Committee of the whole House on the Supply granted to Her Majesty, reported according to order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and is as followeth:--

Resolved, As the opinion of this Committee, that the Revenue and Interests arising from the Estates and funded Property of the late Order of Jesuits, and now at the disposal of the Legislature for Educational purposes in Lower Canada, shall be devoted to the purposes of Education in that part of the Province of Canada, heretofore called Lower

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Canada; and that for the year one thousand eight hundred and forty-six, the said Fund shall be divided according to the annexed Schedule.

SCHEDULE.

Educational Institutions.	Amount.		
	Currency.		
	£	s.	d.
For the salary and allowance for house rent to the Master of the Grammar School at Montreal	282	4	6
Aid towards the support of the National School at Quebec	111	2	3
The same at Montreal	111	2	3
Aid to the Society of Education at Quebec	280	0	0
" to the Education Society at Three Rivers	125	0	0
" to the British and Canadian School at Quebec	200	0	0
" to the same at Montreal	200	0	0
" to the St. Andrew's School at Quebec	100	0	0
" to the Montreal Recollet School	100	0	0
" to the St. Jacques School at Montreal	250	0	0
" to the Montreal American Presbyterian Free School	100	0	0
" to the College of Ste. Anne de la Pocatière	300	0	0
" to the College of St. Hyacinthe	300	0	0
" to the College of Chambly	300	0	0
" to the College of L'Assomption	175	0	0
" to the Academy at Berthier	100	0	0
" to the Academy at Charlestown	100	0	0
" to the Stanstead Seminary	100	0	0
" to the Shefford Academy	100	0	0
" to the Sherbrooke Academy	111	2	3

" to the Reverend Andrew Balfour's School at Waterloo	100	0	0
" to the Master of the School under the Royal Institution at Three Rivers	45	0	0
" to the British North American School Society at Sherbrooke	50	0	0
" to the High School in Durham Village, Missisquoi . .	100	0	0
" to the Infant School at Quebec	55	11	1
" to the Female School at Indian Lorette, near Quebec	50	0	0
" for an Indian School at Caughnawaga	50	0	0
" for the same at St. Regis	50	0	0
" for the same at St. Francis.	50	0	0
" to the College at Ste. Thérèse	200	0	0
" to the do for Building	150	0	0
" to the College of Ste. Anne de la Pocatière for rebuilding	150	0	0
" to the College at St. Hyacinthe for rebuilding . . .	1000	0	0
Total	£5496	2	4

Ordered, That the question of concurrence be now put upon the said Resolution and Schedule.

And the said Resolution and Schedule being again read,

The Honourable Mr. Morin moved in amendment, seconded by Mr. Leslie, that all the words after the word "Jesuits," in the said Resolution, be struck out, and the following substituted, "now held in trust for Educational purposes, according to an Act of the Provincial Legislature of Lower Canada, ought to be vested in the Catholic Church of Lower Canada for the said Educational purposes, under such regulations as may be hereafter adopted, as being the best means to conform to the nature and original destination of the said Estates."

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Berthelot, Bouthillier, Chauveau, DeBleury, DeWitt, Drummond, Guillet, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Morin, Nelson, Rousseau, and Taché.--(18.)

NAYS.

Badwin, Cayley, Christie, Cummings, Daly, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hall, Jessup, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, M'Connell, Monro, Papineau, Petrie, Price, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Solicitor General Taschereau, and Viger.--(29.)

So it passed in the negative.

The Honourable Mr. LaFontaine moved in amendment to the said Resolution, proposed by Mr. Chauveau, that all the words after the words "Lower Canada," where they occur for the second time, be struck out.

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bouthillier, Chauveau, DeBleury, DeWitt, Drummond, Guillet, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Méthot, Morin, Nelson, Price, Rousseau, and Taché.-- (21.)

NAYS.

Cayley, Christie, Cummings, Daly, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Jessup, Macdonald of CORNWALL, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Monro, Papineau, Patte, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Solicitor General Taschereau, and Viger.-- (28.)

So it passed in the negative.

The said Resolution and Schedule being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth;--

YEAS.

Baldwin, Cayley, Christie, Cummings, Daly, DeBleury, DeWitt, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Jessup, LaFontaine, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Monro, Papineau, Patte, Price, Robinson, Rousseau, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Taché, Solicitor General Taschereau, and Viger.-- (37.)

NAYS.

Bouthillier, Cauchon, Chauveau, Drummond, Guillet, Laterrière, Laurin, Méthot, Morin, and Nelson.-- (10.)

So it was carried in the affirmative, and

Resolved, That the Revenue and Interest arising from the Estates and Funded Property of the late Order of Jesuits, and now at the disposal of the Legislature, for Educational purposes in Lower Canada, shall be devoted to the purposes of Education in that part of the Province of Canada, heretofore called Lower Canada; and that for the year one thousand eight hundred and forty-six, the said Fund shall be divided according to the annexed Schedule.

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SCHEDULE.

Educational Institutions.	Amount.		
	Currency.		
	£	s.	d.
For the salary and allowance for house rent to the Master of the Grammar School at Montreal	282	4	6
Aid towards the support of the National School at Quebec	111	2	3
The same at Montreal	111	2	3
Aid to the Society of Education at Quebec	280	0	0
" to the Education Society at Three Rivers	125	0	0
" to the British and Canadian School at Quebec	200	0	0
" to the same at Montreal	200	0	0
" to the St. Andrews School at Quebec	100	0	0
" to the Montreal Recollet School	100	0	0
" to the St. Jacques School at Montreal	250	0	0
" to the Montreal American Presbyterian Free School	100	0	0
" to the College of Ste. Anne de la Pocatière	300	0	0
" to the College of St. Hyacinthe	300	0	0
" to the College of Chambly	300	0	0
" to the College of l'Assomption	175	0	0
" to the Academy at Berthier	100	0	0
" to the Academy at Charlestown	100	0	0
" to the Stanstead Seminary	100	0	0
" to the Shefford Academy	100	0	0
" to the Sherbrooke Academy	111	2	3
" to the Rev. Andrew Balfour's School at Waterloo	100	0	0
" to the Master of the School under the Royal Institution at Three Rivers	45	0	0
" to the British North American School Society at Sherbrooke	50	0	0
" to the High School in Durham Village, Missisquoi	100	0	0
" to the Infant School at Quebec	55	11	1
" to the Female School at Indian Lorette, near Quebec	50	0	0
" for an Indian School at Caughnawaga	50	0	0
" for the same at St. Regis	50	0	0
" for the same at St. Francis	50	0	0
" to the College at Ste. Thérèse	200	0	0
" to the do for building	150	0	0
" to the College of Ste. Anne de la Pocatière for rebuilding	150	0	0
" to the College at St. Hyacinthe for rebuilding	1000	0	0
Total	£5496	2	4

Jesuits Estates
Revenue Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill for the appropriation of the Revenues arising from the Jesuits Estates, for the year one thousand eight hundred and forty-six.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time tomorrow.

Militia Bill.

The Honourable Mr. Moffatt, from the Committee of the whole House, on the Bill for the better regulation of the Militia of this Province, reported, accordingly to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

The Honourable Mr. Attorney General Draper moved, seconded by the Honourable Mr. Attorney General Smith, That the question of concurrence be now separately put upon each of the said amendments.

Mr. Gowan moved in amendment, seconded by Mr. Hale, that all the words after "That" in the said motion be struck out, and the following substituted, "the said Bill be now recommitted to a Committee of the whole House, for the purpose of expunging the following words from the twenty-fourth Section, 'but no such Volunteer, not ballotted, nor any substitute provided under this Act for a person so ballotted, shall be exempt from service when so ballotted, by reason of his having served as such substitute or unballotted volunteer.'"

The question having been put on the motion of amendment, it was agreed to by the House.

The question being then put on the main motion, as amended, it was also agreed to.

And the House accordingly resolved itself into the said Committee. Mr. Drummond took the Chair of the Committee,²

MR. GOWAN moved, as an amendment, to apply the fines levied under it to the purchase of musical instruments, for regimental bands.³

MR. AT. GEN. DRAPER ... ((mentioned)) that his objection was this, that the fines were to be levied on Quakers and some other sects not serving, and it appeared to him, that this amendment would give too great an inducement to officers to enforce these fines unnecessarily.⁴

((The amendment)) was withdrawn.⁵

MR. GOWAN moved to allow Staff-officers to reside out of the regimental division⁶.

((The amendment)) was ... lost.⁷

MR. GOWAN moved to strike out that provision which subjected volunteers to be balloted for in the militia, if they had not actually served in the militia.⁸ ((He)) said that he thought this clause was destructive to the whole principle of the Bill, which depended upon the willingness of the people to volunteer. He thought it could not fail to repress that spirit if the men who had served willingly were again called on, while the man who had served on compulsion, would be excepted.⁹

MR. BERTHELOT, addressed the House in French¹⁰. ((He)) desired that the passage of this bill might not be impeded by petty amendments, because it was one that ought to be passed with unanimity, so as to produce a great moral effect -- in such a manner that if war should arise, it would be impossible to say that the measure was carried in opposition to the views of the representatives of any part of the people. The hon. member for Leeds seemed to think that the country should depend on the volunteers. Now, he held on the contrary that it ought rather to count upon the willing submission of the citizens to the law. He would like to see men rush to the frontier, prepared to combat to the death for their country, but he did not much count upon that sort of thing. Before war broke out, when there was no powder to be smelt, there were always plenty of volunteers to exhibit themselves¹¹ for a holyday dressed out in their finery,¹² but when war was proclaimed these gentry were often too ready to say, oh, we volunteered in the beginning: we have done duty enough, and we will now do no more.¹³

MR. AT. GEN. DRAPER said, that he thought the hon. member for Kamouraska hardly did justice to the volunteers who, if the testimony of the hon. member for Richelieu was to be taken, had obtained for themselves great honour during the last war -- an honour which he believed was well merited.¹⁴ ((He)) had done injustice for some of his friends who sat near him, who had volunteered, and had not only gone within the smell of gunpowder, but within the reach of what is propelled by the powder, and in Upper Canada we need not go further than the Hon. Speaker, who had turned out in the time of need, not with the finery spoken of by the hon. member for Kamouraska, and with only such weapons as they could lay their hands upon.¹⁵ However, he was sure that hon. member was not in earnest in his depreciation of volunteers, for nothing could be more good tempered than the tone of his remarks. He had, however, consulted his hon. friend from L'Islet, for whose assistance throughout he had to render his public thanks, and acting upon his advice, he was prepared to accept the amendment. He thought it would be most injurious for the man who had ben (sic) forced to serve, to be able to say to the volunteer, what a fool you were for volunteering. I have served my time out, and can sit quietly at home, while you may go again to the war.¹⁶

The motion then passed.¹⁷

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Drummond reported, that the Committee had gone through the Bill, and had made a further amendment thereto, which amendment was again read at the Clerk's table.

Ordered, That the Question of Concurrence be now separately put upon the said amendments.

And the said amendments being again severally read, and the question being separately put upon each, they were agreed to by the House.

The Honourable Mr. Attorney General Draper moved, seconded by Mr. Taché, That the said Bill as amended be Engrossed.

Mr. Macdonald of Cornwall moved, in amendment, seconded by Mr. Gowan,

that all the words after "That" in the said motion be struck out, and the following substituted, "the twenty-sixth clause of the said Bill be now recommitted to a Committee of the whole House, with a view to strike out the words 'twenty-ninth' and insert the word 'fourth' in lieu thereof."¹⁸

MR. R. MACDONALD said, he would have withdrawn his motion had it not been that Mr. Gowan desired it to be put, because he thought the Upper Canadians would feel some jealousy at having the drill on the day of St. Pierre, which fell on the 29th of June.¹⁹

MR. WILLIAMS explained that the 4th of June was the birth day of George the 3rd, and was, therefore, revered by the whole of the inhabitants of Upper Canada.²⁰ He said that in Upper Canada they had from time immemorial been accustomed to drill on the 4th of June.²¹

MR. GOWAN, thought they might have chosen some other day than the 29th; it was Saint Peter's day and might appear to be a favouring of one part of the Province at the expense of the other.²²

MR. BALDWIN suggested that it should be changed to the 24th which was St. John's day.²³

MR. GOWAN, was willing.²⁴

MR. AT. GEN. DRAPER stated that the reason of the change was that the 4th was considered two (sic) early, farmers not having finished (sic) their spring work.²⁵

MR. H. SMITH (Frontenac) said, that the oldest man in the country could never recollect a 4th of June when it did not rain.²⁶

DR. TACHE, if there was any design of having it on a fête day in Lower Canada, they would have chosen the very day which has been agreed to by the hon. member for Leeds as Saint Jean Baptiste is the patron Saint of Lower Canada.²⁷

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The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

Boulton, Ermatinger, Foster, Gowan, Hale, Macdonald of CORNWALL, Monro, Smith of WENTWORTH, and Williams.--(9.)

NAYS.

Armstrong, Baldwin, Berthelot, Bouthillier, Cauchon, Cayley, Chalmers, Chauveau, Christie, Colville, Cummings, DeBleury, DeWitt, Attorney General Draper, Drummond, Duggan, Guillet, Hall, Jessup, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonald of KINGSTON, Macdonell of STORMONT, M'Connell, Méthot, Nelson, Papineau, Price, Robinson, Rousseau, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Taché, Solicitor General Taschereau, Viger, and Watts.--(43.)

So it passed in the negative.

The question being then put on the main motion, it was agreed to by the House, and

Ordered, That the said Bill as amended be Engrossed.²⁸

Montreal and
Kingston Rail-
road Bill.

Mr. Dickson, from the Committee of the whole House, on the Bill to incorporate "the Montreal Railroad Company," reported, according to Order, the amendments made by the Committee to the said

Bill, which amendments were again read at the Clerk's table and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Montreal and
Lachine Rail-
road Bill.

Mr. Macdonald of Glenarry, from the Committee of the whole House on the Bill to incorporate "the Montreal and Lachine Railroad Company," reported, according to Order, the amendments made by the

Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Hamilton In-
corporation
Bill.

Mr. Hall, from the Committee of the whole House, on the Bill to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a City, reported, according to Order,

the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

(287)

Ordered, That the said Bill as amended be Engrossed.

Supply.

The Order of the day for the House in Committee on the Supply granted to Her Majesty, being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonell of Stormont took the Chair of the Committee, and after some time spent therein,²⁹

MR. AT. GEN. SMITH moved that the hon. L. J. Papineau formerly speaker of the House of Assembly of Lower Canada, be paid the sum of £1,500, due him as arrears ... of salary, and that it be charged on the consolidated revenue fund.³⁰

((The motion)) was carried.³¹

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Mr. Speaker resumed the Chair;

And Mr. Macdonell of Stormont reported, that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also that he was directed by the Committee to move for leave to sit again.

Ordered, That the Report be received to-morrow.

Ordered, That the said Committee have leave to sit again to-morrow.

Montreal Court
House Bill.

The Order of the Day for the House in Committee on the Bill to provide for the rebuilding of the

*Court House in the City of Montreal, being read;
The House accordingly resolved itself into the said Committee.
Mr. Gowan took the Chair of the Committee,*³²

MR. AT. GEN. SMITH explained that the object of the Government was to obtain authority to build a Court House on part of the ground occupied by the former building, and to dispose of the remainder of the land. They further proposed to appropriate the proceeds of that sale to purchase³³ the site of the old Court House and the Champ de Mars, he thought so, on account of the rapid increase in the value of property in Montreal³⁴, where, at some future time, a Parliament House, Residence for the Governor, and Government offices might be erected.³⁵

MR. LAFONTAINE spoke against Government being empowered to erect the public buildings on any other land than that already possessed (sic),³⁶ ((he)) said it was the opinion of some of the best architects, that no better site could be selected for the erection of the public buildings of the province, than the ground occupied by the present and former court-house and the Champ de Mars. It had been estimated that the buildings could be built there for £127,000--a sum much less than would be required in the event of the government buying any other site.³⁷ Were it permitted him he would prove from the plans and calculations of the best Architects that buildings might be erected there, embracing Parliament House and all the public offices, which by means of shops on the basement story would in time liquidate the whole original cost³⁸, ((and)) even ... produce some revenue to the Province. For that reason he could see no necessity to purchase any other site, he would therefore move that the committee do rise.³⁹

MR. MOFFATT was favourable to the public buildings being collected in one place and centrally situated; he was somewhat favourable to the views of the hon. and learned member for Terrebonne, but did not know what opinion further deliberation, examination of plans etc., might lead him to⁴⁰. ((He)) considered that it would be advisable for the government to make no decision of the site for the erection of a court-house, until the expiration of about twelve months, as by that time they might be enabled to discover whether there was not a more advantageous site, and also, be enabled to make the estimate of expenses, and other necessary calculation. He was of opinion that the ground now occupied by the court-house, might be laid out in a manner which would become a source of revenue to the province, and materially lighten the expenses of another building.⁴¹ He would suggest that the question be postponed for twelve months in which time full consideration might be given to it.⁴²

MR. DRUMMOND contended that the plan of the hon. and learned member for Terrebonne, which was that of the Palais Royal of Paris, was best adapted to the convenience of the public, and the ornamenting of the city, he deprecated the removal of the public buildings from the city, and reminded gentlemen on the Ministerial benches that it was removed (sic) that the only sites out of town which could be selected belonged to two of themselves, viz., the President of the Council and, the Attorney

General East, he (Mr. D.) should be sorry that suspicion of acting for their own benefit would attach to either of these hon. and learned members, and would advise them not to act too precipitately in the matter.⁴³

DR. NELSON supported the views of the previous speakers respecting the proper place for the public buildings, and spoke at some length on the necessity which existed of gaurding (sic) the health of the city by the draining of swampy places in Griffintown, and other parts which were causing dangerous fevers in their own localities and which, thence, spread through the city; the Government would do better to think of that, and such like questions, than to be dreaming of public promenades, squares, &c.⁴⁴

MR. BALDWIN thought the site proposed for the court-house would be very commodious for the other public buildings, were it not occupying a square now necessary for public health. He said Upper Canada had hitherto taken no means for the securing of open squares within its towns, which was highly necessary and conducive to health.⁴⁵ ((He)) considered the question a most important one not only for Montreal, but for the country at large; it was important to the Province generally that the public buildings should be constructed upon a plan that would afford the utmost convenience, and that would be, also, such in style and appearance as not to be derogatory to the rank of the capital; he could then say that he was favourable to that part of the plan of his hon. friend from Terrebonne, which would apply a part of the buildings to the uses of trade; he was favourable to granting further time for the consideration of the subject.⁴⁶

MR. AT. GEN. SMITH--After the feeling that had been manifested against the obnoxious fourth clause, he would consent to withdraw it, but he must say that the only object the Government had in view, was to appropriate sufficient of the present site of the Court House and to sell the rest, so that they might be more able to purchase ground for public buildings in another part of the city. He (Mr. S.) was not in favour of erecting the public buildings on the site of the present Court House, as this ground would soon be required for commercial purposes; and the plan of the hon. member for Terrebonne would cost the Province £100,000. This was an expense they were not justified in the present circumstances of the Province, in laying out. With respect to the revenue that would be derived from the shops, he considered that it was not consistent with the dignity of the Province, to unite Parliament buildings and shops together. The expenses of the country do require a new Court House and to obtain this he was willing to alter his measure to meet the views of the House.⁴⁷ He was prepared to withdraw the measure until such time as there was more evidence before the House, and from the facts brought before it, it could be in better position to decide upon what course it would be most desirable and advantageous to pursue.⁴⁸

MESSRS. BERTHELOT, LAFONTAINE, and MOFFATT ((made a few remarks)).⁴⁹

MR. MOFFATT ((suggested that the bill be withdrawn.))⁵⁰

The committee rose without reporting, the subject ... ((was)) therefore, deferred for further consideration, to the next session.⁵¹

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and after some time spent therein,
Mr. Speaker resumed the Chair.

Message from
Legislative
Council.

A Message from the Legislative Council, by
John Fenning Taylor, Esquire, one of the Masters
in Chancery.

MR. SPEAKER,

Quebec School
Society Bill.

The Legislative Council have passed the Bill,
intituled, "An Act to incorporate the British and
Canadian School Society of the District of Quebec,"
with an amendment, to which they desire the concurrence of the Assembly.
And then he withdrew.

Spirituos
Liquors
Duty.

The Order of the Day for the House in Commit-
tee, to take into consideration the propriety of
repealing certain Acts, and to impose a Duty on
Persons selling Spirituous Liquors and keeping
Houses of Entertainment, and to provide for the collection of the said
Duty, being read;

The House accordingly resolved itself into the said Committee.

The Honourable Mr. Solicitor General Sherwood took the Chair of the
Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honourable Mr. Solicitor General Sherwood reported, that the
Committee had come to a Resolution, which he was directed to submit to
the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

University
Bill, (U.C.)

The Order of the Day for the second reading of
the Bill to erect a University by the name and
style of the University of Upper Canada, being read;

Counsel.

The Order for hearing Counsel at the Bar of the
House against the said Bill, being also read;

Robert Shore Milnes Bouchette, Esquire, Advocate, appeared at the Bar
as Counsel, and addressed the House.⁵²

MR. BOUCHETTE ((was)) heard at the bar on behalf of the authorities
of the University.⁵³

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The Counsel then withdrew.

MR. HALL said ... it was not his intention to speak at any length,
as all that can be said on this subject, has been said in a much more
able manner than he could express himself. The same bill passed its
second reading last session, and now comes the question whether the
individuals who voted for it last year, will vote for it now, when it
was introduced by him. If they vote against it, it will shew the
country that they did not vote for the measure, but to keep the admin-
istration in power. As for the details they may be altered in Committee,
there are some of the details that he did not agree to himself.⁵⁴

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Mr. Hall moved, seconded by the Honourable Mr. Attorney General Draper, That the Bill to erect a University by the name and style of the University of Upper Canada, be now read a second time.

MR. ERMATINGER. -- At the last Session he voted for the second reading of this bill, and had it been passed he would have voted also for the third reading. He would have done this not because he entirely approved of the measure, but because, it was recommended in the speech from the throne, and it was introduced as a cabinet measure⁵⁵ ((and)) tremendously supported by the Administration⁵⁶. The confidence he had in the Head of the Government and the fact that he had come into this House pledged to support the Conservative Ministry operated powerfully on his mind and he believed also on the minds of many other members. From the discussion that then took place he thought it was necessary for the peace of the country that this bill should pass; but he was among those who urged the administration to postpone the measure, in order that further time might be given for reflection and to find out the feelings and wishes of the country. This time has been given⁵⁷. He had turned the matter over in his mind,⁵⁸ and he could now assert, that the country did not require this measure--that the majority repudiated it, as an infidel measure, one which was not pervaded and sanctified by religion. None of the yeomanry of the country will derive any benefit from the University; it will rather be a curse to them especially if the seeds of infidelity are sown among them by such a latitudinarian system as is proposed by this measure. If the University funds are to be touched at all, let it be taken up root and branch and the funds distributed among the people to found Grammar Schools &c. And let all denominations found institutions of their own like Queen's College. The present Charter of King's College cannot be made more liberal than it is by the amended Charter, for all the chairs and offices are free and open to all except the theological professorship, which he must admit was the great bone of contention. He had no objection to divide the endowment in such a manner as to make it satisfactory to the people generally. The very parties who are agitating the country are dissatisfied with the present bill, because there are only two or three sects who will be benefited by it; all the smaller sects will be in as bad a position as they are now. This is a subject that should be dealt with by other parties for a popular assembly is not competent to frame a suitable measure. It ought to be referred to a Commission of learned and scholastic men with instructions to frame a proper bill.⁵⁹

MR. CHAUVEAU stated that he wished to be understood, that in speaking on this subject he expressed his own views alone. The course taken by both parties in Upper Canada during this Session, with respect to Lower Canada questions, would induce the party with whom he acted, when they dealt hereafter with Upper Canada questions to look upon them in the abstract, and vote according to their merits. University questions have excited the public mind not only in this country, but also in England and France. In the latter country the question is not yet settled, and we know the feeling that was manifest in Great Britain on the grant to Maynooth College. These questions are not without difficulty, for

on one side you have vested rights, and on the other hand you have to comply with the new spirit of the age, to modify these institutions to suit the views of the present generation. With respect to the question of vested rights, he must say that he did not agree with the learned Counsel, for if the almost unanimous voice of the people required a change, that change ought to be acceded to; nor did he think that there was any analogy between King's College and those institutions in Lower Canada, which they venerated and loved from their infancy, for many of these institutions have been endowed by private individuals, and they were all guaranteed the possession of their endowments at the time of the conquest. He did not feel in the same manner on this question as he did last Session⁶⁰ ((when he had)) felt a repugnance to meddle with what the people of Upper Canada considered vested rights, and nothing but the almost unanimous voice of the people of that portion of the Province would have led him to do so. The position taken by the Administration: their declaration that they would stand or fall by the measure: and the votes of the Members for Upper Canada, had led him to the supposition that this measure was almost unanimously desired by the people whom they represented. But this year he did not feel himself in the same position;⁶¹ ((for)) what do we behold now? We see this measure abandoned by the Administration, and introduced by a private individual, the hon. member for Peterboro'. What other conclusion can we Lower Canada members come to, than that it is not so popular as was represented, and that the people of Upper Canada have abandoned the measure also, as they are more fortunate than we, for they are more fully represented in the Ministry. The question, is the same and the College has acquired no new rights, and therefore⁶² led to one of two conclusions, either that those who did represent Upper Canada did so no longer, or that the people of Upper Canada no longer desired it.⁶³ Although he disclaimed all analogy between this question and the Catholic institutions of Lower Canada, and although they could give no thanks to any party in Upper Canada, yet for the considerations he had mentioned, he must vote against the bill⁶⁴. He felt that he dared not vote for an interference with what were ever conceived to be vested rights, unless he found the measure affecting that alteration supported by the almost unanimous voice of the people of Upper Canada; he therefore should vote against the Bill.⁶⁵ If this measure does not pass, the people of Upper Canada will have no right to complain of Lower Canada, but of their representatives in the Cabinet, who said they would stand or fall with the measure, and who now have abandoned it. Either there must be a great change in the public opinion in Upper Canada, or the people are not properly represented in the Ministry, or you were deceiving us last Session, and that instead of the people wishing this bill, it is only a hobby of the hon. member for London, (Mr. Draper.) He must therefore, vote against the bill.⁶⁶

MR. DICKSON had read the bill, and had voted for it last session, and would vote for it again, as it made no difference to him whether it was a Cabinet question or not. That did not alter the merits of the case. He considered it to be a measure that the country required; and that the interests of the Church of England, of which he was a member,

would be more advanced by settling this vexed question, and thereby giving tranquility to the country, than by retaining even that which they were justly entitled to. The hon. member for the North Riding of York does not vote for this bill, because it is not perfect. Now he (Mr. D.) was in favour of the principle of receiving justice by instalments, if he could not get perfect justice at once. He (Mr. D.) was sent there to represent all denominations, and to see justice done to all. This measure may be defeated by a union of those who are opposed to all legislation, and of those who consider that this bill does not go far enough; by this union of oil and water the measure may be thrown out, but he would do what he considered his duty by voting for it.⁶⁷

MR. BOULTON said, the endowment possessed by the University of King's College was set apart for that Institution alone, and had not been taken from any other Institution, or diverted from any other purposes, as had been represented.⁶⁸ It might be imagined from the language of some hon. members that millions of acres of land that had been set apart for education purposes were under the control of King's College; whereas, if the question were looked into, it would be seen that not one acre was claimed more than the 25,000, acres which were set apart for the College and for which a patent from the Crown was granted. In reference to the measure before the House, he would say that it appeared under a different aspect to that which commended it to the support of hon. members last year; then it came recommended in the speech from the throne; the Ministry avowed that they were committed to it--their safety was involved in it--and consequently was it voted for by many who under no other circumstances could be induced to do so. If the hon. member who introduced the bill, or the hon. gentleman on the Treasury Benches who acted with him, expected the same extent of support that was accorded to it last year, he (Mr. B.) could inform them that they were much mistaken. The extraordinary circumstances under which a former majority was obtained had passed away; last session it was a Government measure, and no doubt hon. members then conceived that they were relieved from all responsibility respecting it; they believed that Ministers would introduce no question that was required by the people and adapted to some good end, and they were led accordingly. At present, however, the case was materially different; the Ministers had abandoned the measure, and hence was it to be inferred, as had been well put by the hon. and learned member for the county of Quebec, that the enquiries they had made since last session, and their deliberations thereon, had convinced them that they did not represent public opinion in urging the adoption of such a measure. It would be seen that there were no petitions in favour of the bill from what might be termed the sound portions of the religious bodies; there had, it was true, been some meetings held, but it was notorious that at those meetings individuals had contended, and some of them clergymen too, to their shame be it spoken, that religion should be entirely excluded from the College; now, when such a course was taken it was evident that there was something more in it than met the eye, and that was, he (Mr. B.) maintained a desire to do away with the respect and influence of the Church of England; they thought if they

could effect the charter they could effect the church, and hence their zeal, their clamor, their importunities.⁶⁹ Those who were the most violent supporters of the measure were clergymen of various denominations, who desired to break down everything in the shape of a respectable establishment⁷⁰. The hon. member for the county of Quebec had said that he did not dread an attack upon the religious institutions of Lower Canada from those who desired to destroy King's College, but he (Mr. B.) could assure that hon. member that there was much reason for the people of Lower Canada to dread the spirit of a certain class in Upper Canada, those who, with religion ever on the tongue but never in the heart, did not conceal that they were totally opposed to every thing like church establishments, who desired not, but opposed and detested, the existence of any respectable church; he would warn hon. members belonging to Lower Canada that the class to which he referred had the worst intentions towards religious institutions generally,⁷¹ ((and)) if these men succeeded in destroying the Church of England in Upper Canada, the day was not far distant when these men ... would also attempt to sweep away the Roman Catholic Institutions of Lower Canada, and the people of Lower Canada would then need the assistance⁷² of the Episcopalians of Upper Canada to resist profane and determined aggression⁷³ in preserving their religious institutions inviolate.⁷⁴ The hon. member next referred to, and read, a long series of resolutions which have been published,⁷⁵ ((and)) which he would move on a future occasion⁷⁶, and which, he said, contained a correct history of the question of the endowment of King's College from the beginning; he commented on each resolution as he went along, and stated that the present Bishop of Toronto, in the pursuit of a long cherished object, a provision for Collegiate Education in Canada, went to England, and applied for a Charter. A Charter was offered him, the same as those of Cambridge and Oxford, exclusively according to the views of the Church of England, with tests and restrictions, the same as every Charter which had hitherto been given by the Crown of England. The Bishop, fully acquainted with the wants and wishes of the people of Upper Canada, refused it, as of too exclusive a character, and eventually obtained the first Charter of King's College, the most liberal ever granted by the Crown of England. He (Mr. B.) did not defend King's College⁷⁷ as a religious institution, because it was no more Church of England than it was Presbyterian, except that it had a Chair of Theology belonging to that Church, but in every other respect it was as open and liberal as it was possible for an institution to be.⁷⁸ He was also devoted to it because it was the source of sound instruction in the arts and sciences; he wished to preserve its character as a Church of England establishment for the simple, and, as he thought, the just reason that such was intended by its Royal founder, and is ordained by its Charter; but he would be equally prepared to defend it had the intention and decree been in favour of the Church of Scotland; he cherished no petty jealousy on that head, such a feeling would be unworthy of any private individual, and certainly more so in a public man. But although King's College had her Theological chair, it was not true that in other respects any exclusiveness whatever existed on the contrary equal privileges extended to members of all denominations, indeed by the very terms of the

Charter of the College was made open to all so far as education, honors, and emoluments were concerned. He (Mr. B.) could tell the learned Attorney General West, and others who were interested in the bill before the House, that the Home Government would never consent that King's College should be deprived of her distinctive character as a College of the Church of England; others had their institutions undisturbed and unopposed--nay, encouraged and supported--by the very Government itself; there was Queen's College, Regiopolus (sic) and Victoria. Was it, then, to be tolerated that King's College was to be shorn of the privilege so freely accorded to other institutions? Was she to stand alone, the single victim of intolerance and hatred? He had no objection to the course being adopted which was lately recommended in a despatch from the Home Government respecting the University of New Brunswick, viz., the appointment of a commission to enquire into the condition and management of the College; he would approve of the adoption of that course here, and did not see how it could be opposed; indeed, it was the first time he heard of an important change in the nature of an institution being proposed without a solitary enquiry being instituted; if it were found that King's College was improperly conducted, that the endowment was being squandered, that the instruction afforded was imperfect or immoral (sic) then let the necessary corrective action by all means follow; he (Mr. B.) would not only be not found opposing such action, but he would be among the loudest and firmest to demand it. He was surprised that the hon. Attorney Gen. West conceived that the measure before the House could effect what was called "settling the question"; it could no more do so than did the act of 1932 (sic); it was not possible to pacify all--the virtuous and the vicious, the infidel and the Christian; the gentlemen on the Treasury Benches could not do so; no body of men ever yet effected it, or ever would; a Government should be satisfied with pleasing a majority of the respectable and sound thinking portion of the public. The hon. member concluded by expressing his regret that the state of his health did not permit him to oppose the bill with more energy and at further length; he had, however, done his utmost towards the discharge of his duty, and would propose that the bill be read a second time that day six months.⁷⁹

MR. G. MACDONELL, of Dundas, had treated every question on its own merits, since he had the honour of holding a seat in that House, and did not care whether it was introduced by the Ministry or by an independent member.--This bill, as he had understood, was for the erection of a University in Upper Canada, a boon that would be hailed with joy by the country, but on examining it he found that it was proposed to divest another institution of its charter; in other words, to take away its endowments and bestow them on this proposed University of Upper Canada; and, as that was an important matter--taking away a royal charter--it would be well to examine whether they had authority or right to do so. In the first place, although this bill was not brought in under the auspices of the Crown, yet the representative of our gracious sovereign, the temporal head of the church, had called on them, in a speech from the throne, to legislate on this subject. That speech was still extant,

it had not been recalled, and therefore they were in possession of the highest authority and nothing could be imputed to them for doing so. In the next place, it was to be considered whether they had the right to take away any part of these endowments. He said they had for it must be remembered that the power of Parliament was unlimited; it had all power within itself; and further, it was to be remembered that the sovereign was the mere trustee of the nation. The sovereign had the undisputed right to invest trusts--to endow parties, he would admit--but those trusts were held merely for the public benefit, and it was in the power of Parliament to modify--aye, even rescind--those grants, if the exigencies of the State called on it to do so, and he trusted the House would act on that power. He would, however, beg leave to remind hon. gentlemen that at the time King's College was endowed the Students of Divinity of the Church of England were placed under peculiar circumstances, and entitled to the protection of the Home Government. Instead of having an institution for their education, where were they found at that period? He regretted to say scattered over the length and breadth of the land, studying with different ministers like lawyers' apprentices. Other sects had institutions to which they could send their youth, but the Church of England possessed none; therefore, it was but just that they should be drawn together for the prosecution of that grand object. But since that period the state of things had been greatly changed, and the numerous sects now in Canada are making great exertions in order to give them instruction in this colony instead of sending them across the Atlantic, and did not become the duty of that House to render every assistance to them in carrying out their object, more especially when it was known that funds set apart for the education of all denominations, irrespective of religious tenets, were diverted from their proper destination and devoted exclusively to the benefit of the Church of England. (No, no.) Certainly; every one who knew anything of the question must bear him out. But without pursuing that part of the subject farther, he would ask, had the House the consent of the parties themselves to the proposed alteration in their charter? It could be easily shown that they had the assent of the parties. On the one side they had the authority of the donor--the Sovereign; and on the other, that of the parties to whom and for whose benefit the grant was made--the people, who, by their representatives, advocate the change. Why, then, should they listen to the opposition of a few officials, who declaim against it merely to retain possession of their offices? They were not the persons whose wishes should be consulted. The representatives of the people demanded it--the Crown consented to it--and, without any other authority, it was perfectly competent for them to effect that change. For these reasons he was prepared to support the bill, feeling perfectly confident, besides, that the whole population of Upper Canada earnestly desired the settlement of this long agitated question. It had been agitated for years; they had it constantly before them; and, it was time it should be settled. (hear, hear.) He was anxious to record his vote in favour of the bill, from a conviction that its operation would be beneficial; for he was incapable of supporting it on other grounds, and would feel that he was unworthy of a seat in that House if he acted con-

trary to the dictates of his own conscience.--He could not, however, sit down without expressing his regret to hear the observations of the hon. and learned member for the county of Quebec; he had said that after the manner in which Upper Canada members had voted yesterday in reference to the Jesuits' Estates, he would hereafter judge of Upper Canada questions in their abstract; he meant thereby that injustice had been done to Lower Canada by this side of the House. He (Mr. Macdonell) would assure that gentleman no injustice was meant to Lower Canada; he had not been sent here by the people of Dundas to perpetrate injustice on Lower Canada, and he never would. In the question yesterday before the House, he thought Upper Canada had conceded too much to Lower Canada in allowing the proceeds of these estates to go to Lower Canada, when the original grant was made of these estates in the days when this was, as it now is, one Province. He was, he must say, sick of the cry of injustice to Upper Canada and injustice to Lower Canada; it was high time we should recollect that we were one great family, whose duty it was to act for the general good, as he trusted we all would.⁸⁰

MR. JOHNSTON considered this Bill an interference with vested rights; if amendments were required in the Charter let them be made, but the House had no right to strip the University of King's College. He had a watch, and it did not go very well,--if he took it to a watchmaker to get it repaired, he might alter the works, and put in a new spring if necessary, but he could not divest him of the right he had in that watch by taking it away from him because it did not go well.⁸¹

MR. R. MACDONALD, of Cornwall, stated that he had voted for the second reading of the bill last session, and voted against a similar motion to the one now moved by the hon. member for Toronto⁸². ((He)) had voted for this Bill before to support the present Administration in power, to satisfy the people of Upper Canada to keep the Ex-Ministry where they are, and where he hoped they would be for years to come.⁸³ He was desirous to have a measure settled in which the people of Upper Canada were deeply interested⁸⁴. He believed this question would not now carry; he would not vote for it this year, because he hoped between this time and next year some arrangement might be come to with the College authorities, and a compromise, which would settle the question for ever, be affected.⁸⁵ But he was not willing to support the motion now before the House to give the bill a six months ride, and he should therefore move that at this late period of the session it was inexpedient to proceed with the measure. If this motion did not carry, he would vote for the second reading,⁸⁶ ((and)) when the measure came up fully, he would vote for it.⁸⁷

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Mr. Macdonald of Cornwall moved in amendment, seconded by Mr. Boulton, to leave out from the word "That," to the end of the said motion, in order to add the words "it is inexpedient at this late period of the Session to proceed any further with the Bill to erect a University by the name and style of the University of Upper Canada."

And a debate arising thereupon,

MR. HALL said he could not understand how it was that the hon. member for Middlesex now opposed this bill, which he had voted for only a few months since. He would like to know how the hon. gentleman would account for such conduct to the country. It would appear that it was perfectly immaterial to the hon. gentleman what the nature of the bill might be, if brought in by the Ministry he would vote for it; he would however remind the hon. gentleman that he should be very cautious when the votes were taken down. Then as to the champion of the Church, Mr. Boulton, he regretted to say that he (Mr. H.) could not concur in all that hon. gentleman's views, and he thought that the hon. gentleman was himself, chargeable with bad taste, when he said that all petitions laid before that House, complaining of the existing state of King's College, were got up by sectarian clergymen who acted in bad taste. He should have remembered that the petitions presented on behalf of the Church of England were also got up by clergymen.--And when the hon. gentleman spoke of sound and unsound, he did not think that formed a fit subject for discussion, nor did he imagine that if a war broke out to-morrow, the hon. gentleman would ask a man whether he was an Episcopalian or not if he were contented to fight. Then the hon. gentleman had spoken of a respectable church. A respectable man was generally supposed to be a person who kept a gig, (hear,) but he really could not conceive the meaning of the term, a respectable church; for his own part he had hitherto looked upon all churches as respectable. He had listened attentively to the speech of his hon. friend, and yet could not discover a single argument in the whole of it, to prove that the Episcopalians had an exclusive right to this College, or that their interest in it went beyond the salaries and places some of them managed to secure. To whom then did the College belong? To the Professors who pocket £1000 a year for teaching there, or to the people for whom it was held in trust, in order that their children might receive their education in it? It was a question which must shortly be settled, and although it might be set aside this Session, he felt as sure as he stood there that it will yet be brought to a conclusion. He doubted very much, he would confess, that they would arrive at any settlement this Session, from the junction of the high Tories with their friends on the other side of the House, but he could tell them that if they expected to rule the House by high Toryism, the day was past for that, and they would find themselves miserably mistaken.⁸⁸

Cheers from the ministerial benches.⁸⁹

MR. HALL did not intend to argue the question at length as it had been already very ably handled, and would merely remark that it appeared to him, the hon. mem. for Toronto had entirely failed in his arguments, and singularly so in quoting the despatch of Lord Goderich, which recommended nothing further than what they already had a perfect right to do.⁹⁰

MR. J. S. MACDONALD (of Glengarry) said that unwilling as he was to protract the debate this evening, he yet felt it necessary to make a few observations on the very extraordinary remarks which had fallen from certain hon. members on the opposite side of the House. His hon. and

learned friend, the member for Cornwall, had thought proper to indulge in his usual strain of denunciation against the hon. member for the Fourth Riding, and this attack, be it remembered, was not like all former ones, directed against the whole of the opposition, but against the hon. member last referred to, and those who, like him (Mr. McD.) from Upper Canada, regard the hon. member for the Fourth Riding as their leader in this House. He (Mr. McD.) did not rise to defend his hon. friend from the Fourth Riding, but he himself was included among those who are charged with obstructing the settlement of this great and important question, he must defend himself. The hon. member for Cornwall (sic) - has told us that he had voted for this bill last year, not only with a view of doing justice to the community at large, and to quiet the public mind in relation to the measure itself, but, says the hon. member, "from much higher and loftier motives," viz., "to keep a Conservative Ministry in office," (hear, hear,) and to take the platform of agitation from under the feet of the hon. member for the Fourth Riding, and from the Radicals of Upper Canada, which the bill had it passed was calculated to effect." Again adds the hon. member for Cornwall, "I believe in my soul that the hon. member for the Fourth Riding would regret to see the final adjustment of this question, because he would then have nothing in the shape of agitation of which to make political capital for himself and his party, whom he hoped never to see but where they are in this House." Now he (Mr. McD.) would put it not only to hon. members in the House, but to the whole community, if the responsibility arising from the failure of this bill last year, can be attached to the opposition. (Hear, hear.) Was not the second reading carried by a majority of eleven and he would now ask in the name of common justice, whose fault was it that the measure was dropped? The hon. member for Cornwall ought to quarrel with his friends on the Ministerial benches for permitting this question to exist to this Session, thereby placing the means of agitating the country, which he seemed so much to deplore, in the hands of the liberals of Upper Canada.⁹¹

The hon. member for Cornwall MR. R. MACDONALD here remarked that he never quarrelled with his friends.⁹²

MR. J. S. MACDONALD: No, he never quarrels with his friends, although as in this instance they stand convicted, but the honourable member is always ready to attack the innocent for the blunders committed by his own leaders in this House. -- Whose fault is it that the measure has been postponed till this period of the Session, surely not that of the members on the opposition. A measure which was considered to be of such importance last year as to require to be ushered before this House in the speech from Lord Metcalfe and in a strain of earnestness and solemnity, which made the community regard it as indeed it was then felt to be, the great measure of the Session and which led to the memorable assurance made by the hon. member for London, "that he would stand or fall by the bill" is now submitted to the House, not as a ministerial question but forsooth as an open one which means that each member of the Cabinet and each supporter of the administration can vote as he pleases, because since the last Session the settlement of King's College is not of that

importance since Lord Metcalfe obtained his Peerage. The people of Upper Canada have troubled themselves too much, for really the question is not now, of much importance. No sacrifice of a member of the administration is necessary this year; tho' the hon. mem. for Simcoe did not scruple last year to resign rather than vote for the measure, but the ministry take in his place the member for Huron who before accepting office tells them he will oppose the measure as did his predecessor the member for Simcoe. Is not this such a piece of mockery as will not fail at the proper time to call forth the indignation of the people whose interests are affected by this delay and whose wishes have been so glaringly slighted? Will they be satisfied with the introduction of this bill by his hon. friend from Peterboro, who has evinced great zeal in forcing on the measure even at the eleventh hour? Will they regard its introduction but, as a farce, as a mere flourish without the slightest idea that at this stage of the Session any bill affecting that mammoth institution could pass this House, and yet he (Mr. McD.) is far from supposing that his hon. friend from Peterboro, is not sincere in the matter. His hon. friend from Cornwall seemed delighted at the prospect of a dissolution of the partnership which he said had long existed between the hon. member for the 4th Riding and the Lower Canada members, and he was still more pleased to hear the hon. member from the county of Quebec declare that hereafter the members for Lower Canada were determined hereafter to judge matters affecting Upper Canada upon their merits. Now as to the course heretofore pursued by his (Mr. McD.) friends from Lower Canada he had no doubt but that on all questions they regarded the merits and were not solely influenced by party motives but one thing he could venture to assure his hon. friend from Cornwall that any dissolution of partnership which his fertile imagination may have exhibited to his mind, will never realize any hope he may now entertain of becoming a member of the new firm. (Hear, hear.) No! Lower Canada members have had sad experience as to the profits to be expected from such a connection. They will therefore remain as they are. (Hear.) He said, that as yet there had not been one speech which had addressed (sic) itself to the merits of the question. He would beg to ask if there had been one petition presented to the House in favour of the bill; he believed not. He wanted that the measure that should pass should be one that would put an end to the matter for ever; but he did not think that the present one could accomplish that end. No! The bill that could finally settle it, would be one that would take it from all religious denominations, and devote it to the purposes of general education, in the several Districts as was originally intended and till this was done agitation would never cease, on the contrary it would increase tenfold, till at the next general election, the question will be, "how will you vote on the University bill," and on their answer will depend their return. He felt confident that this measure would not, indeed was not intended to be carried the present session, the Ministry are silent on the subject there are no endeavours to get the votes of hon. members, there are no favours being granted, to induce votes, there are no members to go out on this question as there was last year. He thought that the measure was only introduced to keep up the agitation.

Nearly a year passed over from the close of the last session to the opening of the present one, and yet it was not till nearly the end of the session, when we were expecting to go home in a few days that the bill was introduced, and now it is said that it is not advisable to proceed further with it this session, he apprehended that if the question was postponed, the next session would in the same manner be passed over, till the time for the general election arrived, and then the present Ministry, if they had the good fortune to remain in power as long, would be compelled to come down with a measure as liberal as the one the hon. member for the 4th Riding would propose if in office and by that means be able to secure their re-election. He would ask if the present Ministry would not be held responsible for the carrying out a measure for the settlement of this long vexed question. He was sure that the country would hold them responsible, and that they would ultimately be forced to come down with a measure, which would respect the feelings and rights of other denominations more than the present measure did. The indignation to the country at large would fall upon them if they did not. (Hear, hear, hear.)--He voted against the bill last year not because he did not wish to settle the question, but because the details were so objectionable as to preclude the hope that the supporters of the bill would consent to the desired alterations, and the bill now before the House being the same as the former one, he must vote against it for the same reasons. Among the many details which would not meet his support, were particularly those which gave such a preponderating influence to the Church of England in the management of the University which the bill secured, also the test question, which he would insist upon being expunged. By the time that students are fitted to enter the proposed University, they will have been taught the religion which their parents desired should be inculcated on their minds. They would not be sent there to learn religion, but to acquire a knowledge in the various arts and sciences which could not be taught in the colleges and schools which they had left, and if the professors were otherwise competent, the creed which they might profess ought to be no bar to the eligibility. The hon. member for the city of Toronto had frequently alluded in his speech to those who opposed a respectable church. He no doubt, when using the term respectable, meant to apply it to the Church of England, and would characterize all other churches as not "respectable," for it happens that all other denominations in Upper Canada are united in seeking a change in the charter of King's College which that church opposes. If this is the case the charge against those denominations is unwarrantable nay insulting. He (Mr. M'D.) would take the liberty of telling the hon. member for the city of Toronto that the numerical strength of a Church so pampered with State endowments, and with the controul of such large funds as have been at the disposal of the Church of England in this Province, does not establish her claim to the exclusive title which her champion in this House would confer on her at the expense of other less favoured denominations. Yet, there are other denominations which this champion is even willing to admit to a portion of the funds of this University, viz., the Presbyterians, Methodists, and the Catholics; these are in-

cluded in the resolutions which he has read, and a small pittance of the Clergy Reserves is to be divided by the Government among the other denominations of Christians in Upper Canada. Does the hon. member suppose that such a measure would be satisfactory? He (Mr. M'D.) would protest against any scheme like this, which would place one denomination or sect over another. No domination. (Hear.) What is proposed to be done with the Free Church of Scotland whose members are very numerous? what share will this scheme give to that respectable and highly moral class of Christians, the Baptists, who although not so numerous as the members of the church of England, Scotland, or Rome, are yet as respectable as either, and who unaided by public endowments of any description, are gaining strength & influence throughout the Province. And he would say that this pittance which is offered by the hon. mem. for Toronto can be regarded only as an insult to the classes not named in the resolution. He had no doubt but that the motion of the hon. member for Cornwall to put off the consideration of this question till the next session would be carried, and he (Mr. McD.) would vote for it because it was now too late to discuss so great a question, and he knew that in order to put an end to the agitation which has existed respecting the University of King's Collere, the Ministry must take the management of the measure, "and must stand or fall by it."⁹³

MR. AT. GEN. DRAPER said, he never yielded a question with more reluctance then (sic) he had last Session consented, at the earnest solicitations of his friends, to postpone this measure. He did so as a great sacrifice, and stated at that time, that at a future time the question would be found in a different position. On such a question he would never fear to stand or fall; for at length it must be acknowledged that sooner or later this matter must be settled.⁹⁴ It had been asserted this bill was voted for last Session by many who were unacquainted with its contents, but if the truth were told, it would be found that a great many of those who opposed it knew nothing about it whatever, resting perfectly satisfied that it was a bad measure because he had introduced it. With respect to the amendment moved by his hon. friend from Cornwall, he for his own part regretted that his hon. friend had taken that means to postpone the expression of opinion on the bill. He would much rather have tried it on the original motion of the hon. member for Toronto, for then he would know exactly what degree of opposition the bill would meet with⁹⁵; he had rather that the House should affirm or reject the Bill upon its merits⁹⁶, and he would tell hon. members that it was no use delaying the decision they must come to on the subject, for the time would arrive, it must arrive, when no delay would be listened to and they must make up their minds to bring it to a settlement. The hon. member for Toronto had chosen to characterise (sic) the bill as an attack on the Church of England, he must say he could not understand how it could be considered as such, and he believed there were very few members in that House who looked on it in that light, for out of thirty two members of the Church of England who had voted on the question last year, twenty seven voted with him, and only five with that hon. gentleman.⁹⁷

MR. BOULTON.--"For a purpose."⁹⁸

MR. AT. GEN. DRAPER continued.--Yes sir, for a purpose, for the purpose of bringing that question to a settlement.⁹⁹

MR. JOHNSTON--"No. It was to save the Ministry."¹⁰⁰

MR. AT. GEN. DRAPER did not think so. Of course the hon. gentleman who said it was to save the Ministry was the best judge of his own actions, and if he had given his vote for the reasons he stated.¹⁰¹

MR. JOHNSTON.--"Yes."¹⁰²

MR. AT. GEN. DRAPER continued.--Then he must say it was entirely unsolicited, and that he had taken no pains to obtain votes in any secret manner.¹⁰³ This measure was represented as an attack against the University, whereas it was an attempt to strengthen its foundations, and make it more permanent. It was said that there was no agitation on this subject; hon. members who opposed this Bill would find that it would come sooner than they expected, and would produce more commotion in Canada than any measure previously mooted in it; he anticipated this, but he hoped that he might be mistaken.¹⁰⁴ It may happen that the hon. member for Toronto will yet be the first to regret the course he has taken as the most injurious to the cause he had so warmly, and no doubt conscientiously espoused, and may yet wish that he had not so zealously opposed a settlement of the question at the present moment. Another hon. gentleman had said that the institution proposed to be founded was of a godless nature¹⁰⁵, and without religion¹⁰⁶. Now he (Mr. D.) would not have listened to such an imputation out of doors but when an hon. gentleman who stood up in this place to protect the Church made such a charge, he must be allowed to reply to it. He could scarcely believe that hon. gentleman knew the contents of the bill or had even read it. The bill provided that in each of the Colleges there should be religious instruction, and that the students should be compelled to attend.¹⁰⁷ It provided in as great a degree for the practice of, and instruction in religion as was usual in the Universities in Great Britain, with the proviso that the students of each denomination (sic) were, in that respect, subject to their own teachers.¹⁰⁸ He could scarcely imagine, therefore, that it was a godless institution which gave religious instruction to the youth who attended it, and while every one had the means of receiving the instructions of ministers of his own denomination, and the hon. gentleman who applied that term to it could scarcely know anything of the bill. At that late hour of the night, he did not intend to delay the House much longer, but he would say that he regretted exceedingly that such a vote was not taken as would contain a clear and decided expression of opinion. He had expected, when at the request of hon. members on his own side of the House, he had consented to postpone this question last session, that they would have come here with their minds fully determined as to what course they should pursue, but by this vote many would avoid doing so. It was said this was too late a period of the session to proceed with the bill; he did not know whether that was meant as a reproach, but on looking at the list it would be found that it was postponed from day to day in order to give counsel an opportunity of attending. He mentioned that merely to show that his hon.

friend from Peterborough was not taken up ten days ago. He had two questions to ask, and then he would conclude. He would ask the hon. member for Peterboro' if he had, in order to throw off the responsibility of this bill, been any party to what was elegantly termed the "dodge"?¹⁰⁹

MR. HALL.--Most decidedly not.¹¹⁰

MR. AT. GEN. DRAPER continued.--He had made his own preparations, intending to bring forward this bill this session, when he found that duty had been assumed by his hon. friend. And with respect to the scheme for avoiding a direct expression of opinion, he would ask his hon. friend from Cornwall if he (Mr. M'D.) had given him (Mr. D.) any notice of his intention to move this amendment for postponing the question?¹¹¹

MR. R. MACDONALD, of Cornwall.--None.¹¹²

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On motion of Mr. Macdonald of Kingston, seconded by the Honourable Mr. Robinson,

Ordered, That the Debate be adjourned until to-morrow, and that it be then the first Order of the Day in the afternoon sitting.

Orders

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Postponed.

Adjournment.

Ordered, That when this House doth adjourn, it will adjourn until to-morrow at Eleven o'clock, A. M.

Then, on motion of Mr. Watts, seconded by Mr. DeWitt.

The House adjourned until to-morrow at Eleven o'clock, A. M.

FOOTNOTES - 28 MAY 1846.

1. Commentaries on LaFontaine's voting with the majority are to be found in LA MINERVE, 8 June 1846, L'AUREOLE, 6, 10, June 1846, and LE CANADIEN, 12 June 1846.
2. The following debate was reported by: MONTREAL GAZETTE, 29 May 1846, BRITISH COLONIST, 2 June 1846, and COBOURG STAR, 3 June 1846, in identical accounts; MIRROR, 28 May 1846, and PILOT, 2 June 1846, in identical accounts; and MONTREAL TRANSCRIPT, 2 June 1846.
3. MONTREAL GAZETTE, 29 May 1846.
4. MONTREAL TRANSCRIPT, 2 June 1846.
5. IBID.
6. MONTREAL GAZETTE, 29 May 1846.
7. IBID.
8. IBID.
9. MONTREAL TRANSCRIPT, 2 June 1846.
10. MIRROR, 28 May 1846.
11. MONTREAL TRANSCRIPT, 2 June 1846.
12. MIRROR, 28 May 1846.
13. MONTREAL TRANSCRIPT, 2 June 1846, which commented: "The speech of the hon. gentleman was delivered with great emphasis, and was received with loud laughter and three cheers."
14. MONTREAL TRANSCRIPT, 2 June 1846.
15. MIRROR, 28 May 1846.
16. MONTREAL TRANSCRIPT, 2 June 1846.
17. MIRROR, 28 May 1846.
18. According to the MONTREAL TRANSCRIPT, 2 June 1846, this motion sparked off a "discussion, which excited a good deal of laughter".
19. MONTREAL TRANSCRIPT, 2 June 1846.
20. IBID.
21. MIRROR, 28 May 1846. The MIRROR wrongly attributed this speech to Rolland Macdonald.
22. MIRROR, 28 May 1846.
23. IBID.
24. IBID.
25. IBID.
26. MONTREAL TRANSCRIPT, 2 June 1846.
27. MIRROR, 28 May 1846.
28. The MIRROR, 28 May 1846 reported: "The Speaker then left the chair till the afternoon Session."
29. The debate on this matter was reported by: MIRROR, 28 May 1846, and PILOT, 2 June 1846, in identical accounts.
30. MIRROR, 28 May 1846.
31. IBID.
32. The debate on this matter was reported by: MIRROR, 28 May 1846 and PILOT, 2 June 1846, in identical accounts; MONTREAL GAZETTE, 29 May 1846, BRITISH COLONIST, 2 June 1846 and COBOURG STAR, 3 June 1846, in identical accounts; MONTREAL TRANSCRIPT, 2 June 1846; and BRITISH COLONIST, 6 June 1846.

33. MONTREAL GAZETTE, 29 May 1846.
34. MIRROR, 28 May 1846.
35. MONTREAL GAZETTE, 29 May 1846.
36. MIRROR, 28 May 1846.
37. BRITISH COLONIST, 6 June 1846.
38. MIRROR, 28 May 1846.
39. MONTREAL TRANSCRIPT, 2 June 1846.
40. MIRROR, 28 May 1846.
41. BRITISH COLONIST, 6 June 1846.
42. MIRROR, 28 May 1846.
43. IBID.
44. IBID.
45. BRITISH COLONIST, 6 June 1846.
46. MIRROR, 28 May 1846.
47. IBID.
48. MONTREAL GAZETTE, 29 May 1846.
49. MIRROR, 28 May 1846.
50. IBID.
51. BRITISH COLONIST, 6 June 1846. The MIRROR, 28 May 1846, and the MONTREAL GAZETTE, 29 May 1846, reported that the bill was withdrawn.
52. The debate on this matter was reported by: MONTREAL GAZETTE, 30 May 1846, MONTREAL TRANSCRIPT, 2 June 1846 and BRITISH COLONIST, 6 June 1846, in accounts which are identical except that in the MONTREAL GAZETTE some speeches have been omitted entirely; MIRROR, 28 May 1846, PILOT, 2, 4 June 1846, and KINGSTON NEWS, 8 June 1846, in accounts which are identical except that the KINGSTON NEWS, mistakenly included in its account Robinson's and Cayley's speeches of the following day.
53. MONTREAL TRANSCRIPT, 2 June 1846.
54. MIRROR, 28 May 1846.
55. IBID.
56. MONTREAL GAZETTE, 30 May 1846.
57. MIRROR, 28 May 1846.
58. MONTREAL GAZETTE, 30 May 1846.
59. MIRROR, 28 May 1846.
60. IBID.
61. MONTREAL GAZETTE, 30 May 1846.
62. MIRROR, 28 May 1846.
63. MONTREAL GAZETTE, 30 May 1846.
64. MIRROR, 28 May 1846.
65. MONTREAL GAZETTE, 30 May 1846.
66. MIRROR, 28 May 1846.
67. IBID.
68. MONTREAL GAZETTE, 30 May 1846.
69. MIRROR, 28 May 1846.
70. MONTREAL GAZETTE, 30 May 1846.
71. MIRROR, 28 May 1846.
72. MONTREAL GAZETTE, 30 May 1846.
73. MIRROR, 28 May 1846.
74. MONTREAL GAZETTE, 30 May 1846.
75. MIRROR, 28 May 1846.

76. MONTREAL GAZETTE, 30 May 1846.
77. MIRROR, 28 May 1846.
78. MONTREAL GAZETTE, 30 May 1846.
79. MIRROR, 28 May 1846.
80. IBID.
81. MONTREAL GAZETTE, 30 May 1846.
82. MIRROR, 28 May 1846.
83. MONTREAL GAZETTE, 30 May 1846.
84. MIRROR, 28 May 1846.
85. MONTREAL GAZETTE, 30 May 1846.
86. MIRROR, 28 May 1846.
87. MONTREAL GAZETTE, 30 May 1846.
88. MIRROR, 28 May 1846.
89. IBID.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. MONTREAL GAZETTE, 30 May 1846.
95. MIRROR, 28 May 1846.
96. MONTREAL GAZETTE, 30 May 1846.
97. MIRROR, 28 May 1846.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. MONTREAL GAZETTE, 30 May 1846.
105. MIRROR, 28 May 1846.
106. MONTREAL GAZETTE, 30 May 1846.
107. MIRROR, 28 May 1846.
108. MONTREAL GAZETTE, 30 May 1846.
109. MIRROR, 28 May 1846.
110. IBID.
111. IBID.
112. IBID.

FRIDAY, 29 MAY 1846.

11 O'Clock, A.M.

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Militia Bill.

AN Engrossed Bill for the better regulation of the Militia of this Province, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to repeal certain Laws therein mentioned, to provide for the better defence of this Province, and to regulate the Militia thereof."

Ordered, That the Honourable Mr. Attorney General Draper do carry the said Bill to the Legislative Council, and desire their concurrence.

Expiring Laws Bill.

An Engrossed Bill to continue for a limited time, certain Acts and Ordinances, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to continue for a limited time, certain Acts and Ordinances therein mentioned."

Ordered, That Mr. Smith of Frontenac, do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal and Kingston Rail-road Bill.

An Engrossed Bill to incorporate "the Montreal and Kingston Railroad Company," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald of Kingston, do carry the said Bill to the Legislative Council, and desire their concurrence.

Montreal and Lachine Rail-road Bill.

An Engrossed Bill to incorporate "the Montreal and Lachine Railroad Company," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Macdonald of Kingston, do carry the said Bill to the Legislative Council, and desire their concurrence.

Hamilton Incorporation Bill.

An Engrossed Bill to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a City, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith of Wentworth, do carry the said Bill to the Legislative Council, and desire their concurrence.

Customs Act.

Mr. Watts, from the Select Committee to which was referred the Copies of the Despatches from Her Majesty's principal Secretary of State for the Colonies, respectively dated 25th April, 1845, and the 3rd February, 1846, with their

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enclosures, relating to the Provincial Customs Act, passed during the last Session, and transmitted to this House by Message, from His Excellency the Administrator of the Government, on the twenty-sixth of March last, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix T.T.)

Master and Mr. Stewart of Bytown, from the Select Committee
Servant Bill. to which was referred the Bill to regulate the Duties
between Master and Servant, and for other purposes
therein mentioned, reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered, That the said Bill and Report be committed to a Committee of the whole House on Monday next.

On motion of Mr. Johnston, seconded by Mr. Stewart of Bytown,

Address, Resolved, That an humble Address be presented to His
G. R. Burke. Excellency the Governor General; praying that He
will be pleased to cause to be laid before this
House a Copy of all Correspondence between the Provincial Government,
the Crown Lands Department, and G. R. Burke, Esquire, of Bytown, in
respect to the appointment or refusal of that gentleman to the office
of Agent for the Sale of Clergy Reserves.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Printed. Ordered, That the Petition of Joseph G. Barthe, of
the City of Montreal, Esquire, be printed for the
use of the Members of this House.

Quebec School On motion of Mr. Christie, seconded by Mr. DeWitt,
Society Bill. Ordered, That the amendment made by the Legislative
Council to the Bill, entitled, "An Act to incor-
porate the British and Canadian School Society of the District of
Quebec," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 2, Line 15.--Fill up the blank with the words "five hundred pounds."

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Christie do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

Supply. Mr. Macdonell of Stormont, from the Committee of the whole House on the Supply granted to Her Majesty, reported, according to Order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table and agreed to by the House, and are as followeth:

1. Resolved, That the proceeds of all forfeitures incurred by the contravention of any Act or Law relating to the Customs or to the collection of the Revenue, or so much of the proceeds of such forfeitures as may be then at the disposal of the Provincial Legislature, be divided between the Collector of the Port where the seizure is made, the Officer or person making the same, and any person or persons giving information, or otherwise aiding in affecting the seizure or obtaining the condemnation of the goods seized,--in such proportion as the Governor in Council shall in any case or class of cases direct and appoint.

2. Resolved, That there be granted to Her Majesty the sum of six thousand pounds, to be raised by Debentures, to be issued on the credit of the Province, to enable Her Majesty to pay that sum to the Law Society of Upper Canada, so soon as the said Society shall enter into a valid and sufficient covenant to provide, for all time to come, proper and fitting accommodation for such Courts, without further expense to this Province.

3. Resolved, That for the purpose of paying the interest on the said Debentures, and to liquidate the principal thereof, there be levied and imposed on certain proceedings in Law and Equity, the rates and duties following, that is to say:--

On Proceedings in the Queen's Bench.

On every Writ of Capias ad respondendum alias or pluries, or of Summons alias or pluries, and every other original Writ or process Writ of mandamus or other prerogative Writ--one shilling and three pence.

On passing every Record of nisi prius, one shilling and threepence.

On every Judgment entered, two shillings and sixpence.

On Proceedings in Equity.

On filing every Bill, five shillings.

On Proceedings in Appeal.

On every Writ of Appeal from the Court of Queen's Bench or Chancery, five shillings.

4. Resolved, That further to assist in liquidating the principal and interest of the said Debentures, it shall be lawful, notwithstanding anything contained in An Act of the Parliament of this Province, passed in the fourth and fifth years of Her Majesty's Reign, entitled, "An Act for the disposal of Public Lands," that a portion not to exceed two acres of the block of land in the City of Toronto, on which the buildings formerly occupied by the Legislature and the said Courts are erected, may be sold for money, on a credit not to exceed five years.

5. Resolved, That the sum of £19,000, advanced to the Commissioners of the Montreal Harbour, from the Public Funds, shall, as the same may be repaid, be applicable and be applied under the authority of the Governor in Council, to the erection of Light Houses and Relief Stations, and other improvements of the Navigation from Quebec to the Ocean.

6. Resolved, That it shall be lawful for Her Majesty to authorize the issue of Debentures for a sum not exceeding £30,000, on the credit of the tax of one-eighth of a penny in the pound, established by Legislative enactment in Upper Canada for the erection and support of a Lunatic Asylum, and that the money to be raised on such Debentures be appropriated for the erection and furnishing of the said Asylum.

7. Resolved, That there is now due to the Honourable Louis Joseph Papineau, late Speaker of the House of Assembly of Lower Canada, the sum of four thousand five hundred pounds, currency, and that for the payment of the said sum, there be granted to Her Majesty, out of the consolidated funds of the Province, the said sum of four thousand five hundred pounds, currency.

Superior
Courts Bill,
(U.C.)

Ordered, That the Honourable Mr. Attorney General Draper have leave to bring in a Bill to provide for the permanent accommodation of the Superior Courts of Law and Equity in that part of this Province formerly Upper Canada.

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He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time tomorrow.

Asylum Erec-
tion Bill.
(U.C.)

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill to authorize the issue of Debentures for the erection of a Lunatic Asylum at Toronto.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time tomorrow.

Gulf St. Law-
rence Improve-
ment Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill to authorize the appropriation of Nineteen thousand pounds to the improvement of the Gulf of St. Lawrence.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time tomorrow.

Smuggling
Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill for the further prevention of Smuggling.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a

a second time tomorrow.

Spirituuous
Liquors Duty.

The Honourable Mr. Solicitor General Sherwood,
from the Committee of the whole House to take into
consideration the propriety of repealing certain Acts,
and to impose a Duty on Persons selling Spirituous Liquors and keeping
Houses of Entertainment, and to provide for the collection of the said
Duty, reported, according to Order, the Resolution of the said Committee;
which Resolution was again read at the Clerk's table, and agreed to by
the House, and is as followeth:--

Resolved, That it is expedient to repeal the Law now in force in relation
to the imposition of a Duty on Persons selling Spirituous or Fer-
mented Liquors, or keeping Houses of Public Entertainment, and to
provide for the collection of the said Duty, and for the regulation
of such Persons.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill to
repeal certain Acts therein mentioned, and to impose a Duty on Per-
sons selling Spirituous or Fermented Liquors, or keeping Houses or
Places of Public Entertainment, and to provide for the collection
of the said Duty, and for the regulation of such Persons.

He accordingly presented the said Bill to the House, and the same
was received and read for the first time, and ordered to be read a
second time tomorrow.

MR. CHAUVEAU¹ ((asked a question)) relative to the Quebec Turnpike
Roads².

MR. AT. GEN. SMITH ... stated that the Ministers were not prepared
to apply to Government to guarantee any farther loans for roads.³

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J. B. Pagé,
et al.

The Order of the Day for the House in Committee on
the Report of the Select Committee to which was referred
the Petition of Jean Baptiste Pagé and others,
inhabitants of the Parish of l'Ancienne Lorette, and other references,
being read;

The House accordingly resolved itself into the said Committee.

Mr. Sherwood of Brockville took the Chair of the Committee,

MR. CHAUVEAU ... moved a resolution expressive of the opinion of the
House, that it was expedient to repeal that part of the Quebec Turnpike
Road Act, so far as it related to the schedule of tolls, and to substitute
other tolls for those charged under that Act.⁴

The motion was carried⁵.

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sherwood of Brockville reported, that the Committee had come
to a Resolution, which he was directed to submit to the House, whenever it
shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Supply.

*The Order of the Day for the House in Committee on the Supply granted to Her Majesty, being read; The House accordingly resolved itself into the said Committee. The Honourable Mr. Laterrière took the Chair of the Committee,*⁶

MR. INSP. GEN. CAYLEY moved that live cattle and other stores be admitted duty free when for the supply of the Commissariat.⁷

MR. WATTS.--There are no reasons given why this proposition should be acceded to.--It is not supposed that the Province cannot supply the demand. The only reason why the dealers go to the States is, that it is easier for them to get ... the cattle by going to Lake Champlain, the great depot for live cattle, than by traversing the country. If the dealers are allowed to go to the United States for their cattle, it will have the effect of draining the country of its resources. In times of peace, he thought that agriculturists ought to be encouraged, so that in times of war they might be able to supply the demand that would be made upon them. During the late war, we had to have recourse to the States for our cattle; and thus we were supplying them with money to pay their soldiers. He thought that some protection ought to be afforded to the agriculturist. This colony was not situated as other colonies were; it had a line of frontier of about 1500 miles in length, and thus means for fraud are ever at hand; if the cattle for the Commissariat was allowed to be brought in duty free, it would be opening the doors to the commission of fraud, as cattle would be brought in nominally for the Commissariat, which would never reach them. He considered that it would be far better to have no protection at all than the scheme proposed. He hoped the hon. Inspector General would have the pleasant task of sending home the following amendment, and he was sure that it would be exceedingly pleasant to him to have to do so, and they would be more in consonance with the county which he represents. He (Mr. W.) was well acquainted with the wishes of the county of Huron; he had had the honour of having a seat in Parliament for 5 years with the hon. member who represented it till the last session, and by whose influence it was, he believed, that the hon. Inspector General was returned; and Dr. Dunlop had ever been a firm and staunch advocate for the measures which he (Mr. W.) now proposed. He then moved the following resolutions:--

"That during the last Session of the Provincial Parliament, a Customs Bill was enacted, imposing, among others, certain Duties on Live Stock imported from the United States, without containing any clause exempting cattle introduced for the use of Her Majesty's Troops.

"That this enactment was made after a long and serious debate and finally carried by a nnammous (sic) vote of the Representatives of the People, the exemption in question having been in full operation during the two preceding years, and having been found to render the Law wholly inoperative, although the Local Government were aware of the fact and took every possible precaution to prevent frauds.

"That although it may be true that this was a departure from an acknowledged principle observed by every Possession of the Crown yet it

was not intended to be ungracious. It was called for by the peculiar position of this Colony, as compared with Her Majesty's other Possessions, having a line of frontier some 1,500 miles in extent, bordering on and separated from a foreign power, in many parts by an imaginary line.

"That it will not give rise to the slightest inconvenience to Her Majesty's Commissariat, inasmuch as the supply from the Colony itself exceeds the demand in every Market of the Province.

"That during the late War with the United States, Her Majesty's Troops were supplied from the United ((States)) in consequence of the deficiency in the Colony. These supplies were paid for in gold;--and Her Majesty's Royal Predecessor was therefore furnishing the sinews of War to the enemies of England.

"That the Act in question, by encouraging the raising of Cattle in the Country, may correct that evil, and was loudly demanded by the Agriculturists of Canada, as a Counter-Protection to the duties levied on Canadian Cattle entering the United States, and its enactment has given general satisfaction throughout the Province.

"That it is therefore with serious alarm that this House views an apparent disposition in Her Majesty's Government to interfere with this Act passed exclusively to place our farmers on terms of reciprocity with those of our neighbours.

"That this House assures Her Majesty that such a proceeding would cause general and extreme discontent throughout every County in Canada.

"That while the Colonists are anxiously awaiting the result of the advice which has been tendered to Her Majesty, to withdraw the protection hitherto enjoyed by them in their Commercial transactions with the Mother Country, this further step would compel Her Canadian subjects to trade with the Americans in the respective Markets of the two Countries, at a disadvantage of 20 per cent.

"That this fact could not fail to produce among the Colonists generally, an impression that the Imperial Government had placed the Americans, a foreign people, on a more favourable footing than themselves, against the express will of the local Legislature; an impression, however, this House fervently prays that the wisdom of Her Majesty's Councils may prevent, by a due regard to the wishes of the loyal inhabitants of the Colony, as expressed through their Representatives in Parliament.

"That the Representatives of Her Majesty's Canadian subjects are therefore induced to approach Her Majesty with an humble prayer, that the Royal assent will be withheld from any advice which may be tendered to Her Majesty to sanction any interference with the Canadian Customs' Act passed during the last Session of the Provincial Parliament, in any way beyond the amendments made at the suggestion of Her Majesty's Government during the present Session."⁸

MR. PETRIE moved in amendment to the amendments of Mr. Watts, the effect, that the cattle and other stores for the commissariat, should be admitted under a drawback. He said that altho' he was desirous to afford every protection to the agricultural interests, as he represented

an agricultural country (sic), yet he thought that it was nothing but justice, that Her Majesty ought to be allowed a drawback on all cattle and stores imported for the use of the troops. He did not think that it need be abused; the commissariat officer could be called upon to give a certificate of receiving the cattle, and on that certificate the drawback allowed.⁹

MR. D. MACDONELL of Stormont, made a few remarks¹⁰.

MR. SMITH ... believed if the present customs laws were persevered in a degree of prosperity would be produced by them such as had never yet been experienced in Canada. With that impression, he was opposed to any relaxation of the existing enactment but¹¹ ((he)) thought that it would be far better to make some concessions than to¹² risk ... losing entirely that protection which it provided for Canadian Agriculture¹³, as it had been signified to us, that our bill would be disallowed unless we should make some concessions. He considered that it would be far better to adopt the amendment of the hon. member for Russell, and thus secure the bill of last Session than by adopting the amendments of the hon. member for Drummond lose it altogether. He was sure that the country could supply the demand, he knew of one gentleman in his District that had this spring £5000 of fat cattle, not one head of which was brought from the States but all raised in Frontenac and adjacent counties. The bill of last Session gave general satisfaction throughout the country, and it was generally considered that it would be unwise to make any alteration in it.¹⁴

MR. MORIN did not think that the amendment of the hon. member for Russell would put a stop to the commission of fraud, and therefore he could not see any advantage in the drawback. He considered that the agriculturalists ought to have a protection, and therefore he did not think that it would be ungracious to refuse¹⁵ to alter laws which were made to protect the Province, and which could not be changed without producing mischief.¹⁶ ((We ought not)) to allow the stores for the troops to be admitted duty free. He thought that the resolutions of the hon. member for Drummond were safe.¹⁷

MR. INSP. GEN. CAYLEY had no objection to the amendment of the hon. member for Russell.¹⁸ ((He)) said that ... if ... ((this)) amendment ... were carried he would accept it and pointed out the details of a system, of checks which he thought would prevent any collusion, and would shut the door against fraud.¹⁹ He thought that it would be ungracious to refuse to Her Majesty this slight favour while she sent out soldiers to protect us. He had no fear for the agricultural interests; he felt confident that the farmers could supply the demand, and while they could he would not put it down by indiscreet legislation. A boon had been asked, and it was one that was cheaply bought and ought to be readily granted. He would most respectfully decline the honor of communicating the amendment of the hon. member for Drummond to Her Majesty.²⁰

MR. MERRITT thought that if the hon. member for Drummond had

considered this question a little more attentively, he would not have proposed the present resolution. All agreed that the agricultural interests of the Province were those which ought to be protected above all others, but then that protection should proceed on a sound principle. He was quite sure that the agriculturalist, who were an intelligent body of men, and quite able to see their own interests, would not desire to take a step which was equally unjust and impolitic.--What was the nature of the present question? Did Great Britain take any part of the duties in the Province? Not at all; and yet she afforded us the protection of her troops without the cost of one farthing. That ought to be borne in mind, and if it were there would be not (sic) attempt to shirk the obligations conferred. Now, in addition to all that, the hon. member wishes to make her pay duty for what her troops eat. Would it not be monstrously unjust to do so? or was it a course calculated to promote the interests of the farmer? On the contrary, it jeopardised the whole bill. He did not believe that any fraud would occur, if the Government took the proper precautions to prevent them, which, in his opinion, could be very easily done.²¹

MR. MCCONNELL, was in favour of allowing a drawback on the cattle on stores rather than jeopardise the whole bill.²²

MR. BALDWIN, was confident that it was the desire of the Home Government to do nothing unreasonable. On the contrary he had on several occasions expressed his belief that it wishes to behave not only in a reasonable, but even a liberal spirit to the Colonies. On this account he would have been prepared to have voted for the proposition of the Ministry, in order to meet the views of the mother country if he had been sure that every exertion had been made to explain the position in which the Province is placed, with a frontier of some 1500 miles separated in some places by only an imaginary line. That however did not seem to have been done. There was no despatch from the responsible Ministers of the Crown, intended to put the matter in its just light, and until that should be done, and it should become clear that the Home Government continued to take the same view, he certainly would not vote for the proposition of the Hon. Inspector General. It appeared that the only representations, which had been made to the Home Government on the subject were made by Mr. Filder²³. He had nothing to complain of in the course taken by that gentleman. No doubt, he was only doing his duty to the department with which he was connected, but he asked if there were no other persons who ought to have concerned themselves to protect the interests of the Province. It should be remembered, however, that it was not the late Inspector General who was answerable for this, since he had retired from the ministry before the bill was sent home.²⁴

MR. WATTS believed taat (sic) if a proper representation of the case had been made in the despatch which accompanied the bill on its passage home for the approval of Her Majesty, there would have been no hesitation about granting the boon. It was a pity that the thing had not been put in its right light by the late Inspector General, but it appeared from the return of correspondence on this subject, brought down by ministers,

that no representation had been made except those which emanated from Mr. Filder the Commissary, and those were obviously incorrect, for he had stated that the country did not produce enough of cattle for home consumption and that the effect of the duty was to raise the price 24 or 25 percent. The whole matter was very trifling, for it appeared that the whole amount of the duty in dispute, did not come to mere than £2,225 a sum for which the British Government surely would not desire to obstruct the wishes of the Colonists. He would rather than give up the Bill, vote the whole sum. As to what had been said about losing the Bill entirely, he would only make one remark, and that was, that it would be better to lose it in that way, than to destroy its effect, by a vote of the House.²⁵

MR. ROBINSON.--Though he had ceased to 'be a minister before the bill had been sent home, yet he had not neglected as a member of the House, to urge upon the Government the urgent necessity that existed for making proper representations at home as to the objects of the Custom bill, so that it might be understood (sic) that nothing ungracious was intended, but that it was merely wished to prevent a fraudulent evasion of the protection afforded to the Agriculturalists.²⁶

The amendment of the hon. member for Russell was lost,--Yeas 15, Nays 33.²⁷

The amendments of the hon. member for Drummond were carried on a division of Yeas 38, Nays 8.²⁸

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honourable Mr. Laterrière reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and is as followeth:--

Resolved, As the opinion of this Committee, that the following humble Address be presented to Her Majesty; representing,--

That during the last Session of the Provincial Parliament, a Customs Bill was enacted, imposing, among others, certain Duties on Live Stock imported from the United States, without containing any clause exempting cattle introduced for the use of Her Majesty's Troops.

That this enactment was made after a long and serious debate, and finally carried by a unanimous vote of the Representatives of the People, the exemption in question having been in full operation during the two preceding years, and having been found to render the Law wholly inoperative, although the Local Government were aware of the fact, and took every possible precaution to prevent frauds.

That although it may be true that this was a departure from an acknowledged principle observed by every Possession of the Crown, yet it was not intended to be ungracious: It was called for by the peculiar position of this Colony, as compared with Her Majesty's other Possessions, having a line of frontier some 1,500 miles in extent, bordering on and separated from a Foreign power, in many parts by an imaginary line.

That it will not give rise to the slightest inconvenience on Her

Majesty's Commissariat, inasmuch as the supply from the Colony itself exceeds the demand in every Market of the Province.

That the Act in question, by encouraging the raising of Cattle in the Country, may correct that evil, and was loudly demanded by the Agriculturists of Canada, as a Counter-Protection to the duties levied on Canadian Cattle entering the United States, and its enactment has given general satisfaction throughout the Province.

That this House assures Her Majesty that such a proceeding would cause general and extreme discontent throughout every County in Canada.

That while the Colonists are anxiously awaiting the result of the advice which has been tendered to Her Majesty, to withdraw the protection hitherto enjoyed by them in their Commercial transactions with the Mother Country, this further step would compel Her Canadian subjects to trade with the Americans in the respective Markets of the two Countries, at a disadvantage of 20 per cent.

That this fact could not fail to produce among the Colonists generally, an impression that the Imperial Government had placed the Americans, a Foreign people, on a more favorable footing than themselves, against the express will of the local Legislature; an impression, however, this House fervently prays that the wisdom of Her Majesty's Councils may prevent, by a due regard to the wishes of the loyal inhabitants of the Colony, as expressed through their Representatives in Parliament.

That the Representatives of Her Majesty's Canadian subjects are therefore induced to approach Her Majesty with an humble prayer, that the Royal Assent will be withheld from any advice which may be tendered to Her Majesty, to sanction any interference with the Canadian Customs Act passed during the last Session of the Provincial Parliament, in any way beyond the amendments made at the suggestion of Her Majesty's

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Government during the present Session.

Ordered, That the Question of Concurrence be now put upon the said Resolution.

And the said Resolution being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Boulton, Bouthillier, Chabot, Chauvau, Christie, Cummings, DeWitt, Drummond, Duggan, Foster, Gowan, Guillet, John, Johnston, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonell of STORMONT, McConnell, Méthot, Monro, Morin, Nelson, Price, Robinson, Rousseau, Seymour, Smith of WENTWORTH, Taché, Solicitor General Taschereau, and Wells.--(38.)

NAYS.

Cayley, Daly, DeBloury, Attorney General Draper, Jessup, Petrie, Attorney General Smith, and Viger.--(8.)

So it was carried in the affirmative, and Resolved, Accordingly.

Resolved, That a Select Committee composed of Mr. Watts, the Honourable Mr. Robinson, be appointed to prepare and report the draught of an humble Address to Her Majesty, in conformity with the foregoing Resolution.

On motion of Mr. Laurin, seconded by the Honourable Mr. Laterrière, Adjournment. Resolved, That the first Rule of this House be suspended during the remainder of the present Session; and that for the future when this House doth adjourn, it shall stand adjourned until Eleven o'clock of the following morning, unless some other hour or day be specially named.

University Bill, (U.C.) According to Order, the House resumed the adjourned debate upon the amendment which was yesterday proposed to be made to the motion, "That the Bill to erect a University by the name and style of the University of Upper Canada, be now read a second time," and which amendment was to leave out from the word "That" to the end of the said motion, in order to add the words "it is inexpedient at this late period of the Session to proceed any further with the Bill to erect a University, by the name and style of the University of Upper Canada."29

MR. GOWAN³⁰ opened the debate. The hon. gentleman commenced by bespeaking the indulgence of the house for trespassing longer upon its time than he wished or desired to do, considering the advanced period of the session, and the length of time already occupied in the discussion. He desired to begin at the beginning, and to give a true history of the transactions connected with the institution which was the subject of debate. He asked for the indulgence of the house first, on account of the great importance of the subject; and, secondly, on account of the matter being so imperfectly understood by the gentlemen who represent the Lower Canada section of the Province.³¹ In 1796, half a century ago, the Local Legislature of Upper Canada applied to George III for a free grant of the waste lands of the Crown, as an endowment "for the maintenance of free Grammar Schools in those districts in which they might be called for, and in due process of time, for the establishment of Seminaries of a larger and more comprehensive nature." (Here the hon. member read the original application made by Parliament, together (sic) with King George the Third's reply.) He would next proceed to show that the King's most gracious answer was faithfully communicated by his Representative in the Colony, to the Officers of the Crown, and the Executive Council of that day. (Here the hon. gentleman read the instructions of the Governor, from the Journals of Upper Canada.) It will be perceived (he continued) that a consultation was held. And what was the result of this conference! Was it a consultation to establish a Church University on a narrow and exclusive basis, or to carry out the views of the Crown and the Legislature? (Here the hon. member read the result and again proceeded.) The House should bear in mind the order of reference, and that the Executive Council had no power to stray from that

order, or from the subject they were specially instructed to consider. (Hear the hon. member again referred to the Journals of Upper Canada, Appendix for 1831, page 106, shewing that the reference to the Executive Council resulted in setting apart 540,217 acres of the choicest (lands of the Crown as an endowment.) He would ask the House to pause for a moment to contemplate the magnitude of the grant. Upwards of half a million of acres, which at the very lowest value, say four dollars an acre, would have produced £10,000 annually.³²

Hear, hear, from MR. BALDWIN.³³

MR. GOWAN ((continued:)) Those hon. gentlemen who, like himself, were branded as robbers and spoliators, really required much patience under the accusations of their intemperate assailants; but he should not proceed to shew, from official documents, who were the spoliators. (Hear the hon. member read extracts from the Dispatches of several Secretaries of State, and from the Lieut. Governors of Upper Canada, shewing that Earl Bathurst, Lord Eldon, Sir John Colborne, the Duke of Wellington, Sir Peregrine Maitland, Lord Liverpool, Lord Goderich, and Lord Stanley, all condemned the proceedings of the Local Government, in reference to the University, and called upon the College Council to give up their charter and to appropriate the lands "for the maintenance of schools on the national plan of education.") Who now, he would ask, are the spoliators? Was it Liverpool, the Prime Minister, and Eldon, the Keeper of the King's Conscience? If he (Mr. Gowan) erred, it was in good company. And if he was a spoliator, so was Maitland! and so was Colborne! so were the 3rd and 4th Georges! so was William the fourth! and so was Victoria! But he must not forget that one of his friends had stated that they might take the property—that, in fact, it was but mere dross, but that the Royal Charter must not be touched. Such were the arguments urged by his hon. and learned friend the Mayor of Toronto. But he would ask his learned friend to look back to the days of the Reformation of the Church of England from that of Rome. (Hear, hear, hear.) What was the title to a single acre of all the church lands in England, except what was derived from the setting aside of Royal Charters? (Loud cries of hear, hear.) Was not Woburn Abbey at one time the property of the church, and by what tenure was it now held by the House of Russell, except by the violation of a Royal Charter? Let his hon. friend but look back to the sweeping away of the English Corporations, and to the cutting off of the ten Bishopricks in Ireland, and he would then be taught a lesson upon the subject of the vested rights, and upon the Parliamentary power of annulling Royal Letters Patent! (Hear, hear.) Before proceeding further he would entreat his hon. friend (Mr. Boulton) to reflect upon the history of the institution, whose advocate he was. Did his learned friend not know that from the day of the granting of King's College Charter, up to the present hour, its whole history exhibits but one continuous effort for the Repeal of the Charter? In evidence of this he would ask his hon. and learned friend to indulge him a few moments, while he read, for their information, the proceedings had upon this subject, in the Radical Parliament of 1828, and in the Tory Parliament of 1831. (Here the hon. gentleman read extracts from the Journals of Upper Canada, for the years 1828 and 1831, pages 106 and

and 95.) Thus then it would be seen that so settled and so unanimous was the public feeling in Upper Canada upon this question, that at all times, and under all circumstances, Radical Parliaments and Tory Parliaments, all united in the strongest expressions of disapprobation of King's College, and in the loudest calls for the repeal of the charter.--And here he (Mr. Gowan) would take the opportunity of vindicating the character of his learned friend (Mr. Draper) whose consistency upon this question, has been so virulently and so improperly assailed, both in the House and out of it. (Hear, hear.) (Here the hon. member read from the Journals of the Upper Canada Parliament for 1836 and '7, pages 32 and 228, and from the revised statutes of U.S., vol. 1, pages 813 and 817, shewing that from the first day ... Mr. Draper entered upon his public career, as a member of the Legislature, his efforts were directed to divest King's College of its exclusive character.) He would now trouble the House by reference to one other document. (Hear Mr. Gowan read an extract from Lord Goderich's despatch, dated "Downing street, London, 2nd November, 1831," in which his Majesty King William the Fourth commanded thr (sic) Council of the College "forthwith to surrender to His Majesty the Charter of King's College of Upper Canada, with any land which may have been granted to them.)³⁴ He was now done with the documents, and all he would observe upon them was, that from Alpha to Omega, from the beginning to the end, there was not the slightest countenance given to an exclusive college, or indeed to a church or seminary of any kind. Open the University to-morrow, and what great benefit will the people of Canada derive from it? Those who are resident in Toronto, may be advantaged by it, but most assuredly it will be of little service to the youth of the country generally. Carry on the original intentions--first plant the free grammar schools, and afterwards talk of a university. To establish a university before you endow grammar schools, is to put the cart before the horse! It is watering the branches instead of the roots of the tree! The public lands, which is but another name for the public monies, was never intended to be given to educate children of the rich, and simply to open the University, and confine it to Toronto, as a great mammoth institution for the Province, would be nothing short of a mockery of the people. His learned friend from Toronto (Mr. Boulton) had said much in eulogy of Oxford and Cambridge, but did his friend never reflect upon this fact, that though England possessed her Oxford and her Cambridge, aye, and her Winchester, too, that yet the great bulk of her peasantry were far behind those of her northern sister, Scotland, in education and general intelligence? The learned member for Quebec (Mr. Chauveau) had also spoken much and eloquently upon the colleges of Lower Canada; but he (Mr. Gowan) would beg to direct the learned gentleman's attention to this important fact, which he seems to have wholly overlooked, that notwithstanding Lower Canada had had her colleges at Montreal and Quebec, at St. Hyacinthe, L'Assumption, and other places, still her people, her habitans, the great bulk and body of her population, were half a century behind those of her neighbours, south of the line 45. (Hear, hear.) He did not mention those matters as a reproach to either England or Lower Canada, but as a warning to Upper Canada, not to build up

large colleges for the wealthy, while the education of the poor should be neglected. He (Mr. Gowan) need say but little upon the subject of education generally. All men were now agreed upon its importance. Man in his natural state, seems to have been born to command, not to crouch or become a slave; his natural erect and onward course was in this respect made different by his Maker, from all the rest of animated nature. Education moderates the natural mind, and gives a noble and benevolent direction to the human intellect, elevating man from the savage nobility of nature, to that state of social order, which is but a preparation to a more exalted destiny. And if indeed that future happiness is, as infidels tell us, but a dream, still, it is at least a pleasant one, for which education prepares man for the enjoyment. Give education, then, and withhold it not from the people of Upper Canada. It is not the present generation alone that will feel thankful, but their children's children will prove grateful for the boon. The question of the Jesuit's estates, of the clergy reserves, of the expense of the administration of justice in Upper Canada, of the payment of the rebellion losses, and other matters of an irritating tendency, had been met and grappled with, and decided by the present parliament, and he fervently hoped, that to the list of settled questions, he would shortly be enabled to add that of King's College. (Hear, hear, hear.) Before closing, he would take leave to refer the member for the county of Quebec, to the resolutions passed upon this subject by the unanimous vote of the Assembly of Upper Canada, in 1831-32; and also to the act of 1839, which took from King's College, and gave to Queen's College, a portion of the endowment. (Here the hon. gentleman read the resolutions and the act.) Thus, it would be seen that the highest Tories, including their gallant speaker, and the member for Simcoe (Mr. Robinson) did not hesitate to take from King's College her lands and her charter. In those days it was not viewed as a vested right, but a vested wrong--as a fraud practised upon the King, without the knowledge and against the interests of his people. But if his learned friend from Toronto desired any further evidences than he had already laid before him, upon the subject of vested rights, he would refer his friend (Mr. Boulton) to the charter of the Dublin corporation, which had existed for centuries, but which had been swept away by an act of parliament, against the protest of the corporation. And if he desired further information, he would refer him to the Commons' Journal, vol. 86, part 2, page 646, for the sweeping away of the English Freeman, and the substitutions and abrogations under schedule A and B. But his hon. friend had boasted much of his principles, and how far he preferred them to his party. In reply, he (Mr. Gowan) could tell his learned friend, that he (Mr. Gowan) had the pleasure to act upon this question in harmony both with his principles and his party. (Loud cries of hear.) And he must further tell his hon. friend, that if the opinions he had promulgated upon this question were really in union with his principles, he is driven to the necessity of carrying his principles by the votes of his political antagonists--a situation which no honourable-minded man should desire to be placed in. His hon. friend had accused him (Mr. Gowan) of deserting the interests of his church. But he might well indeed be accused of deserting her, if her lessons were those of the unmitigated bigotry which

his learned friend inculcated. But he (Mr. Gowan) had not so learned. His creeds, his lessons, and the Holy Book upon which they were founded, had taught him a little charity--from that great and good Book he had learned, that although a bishop had the zeal of a Saul of Tarsus--though he were clothed in all the gold and scarlet of Rome--though he could trace up an unbroken succession to Peter, who denied his Master--though he had been suffered, like John, to recline on that Master's bosom--yea, although he had even faith to remove mountains--without charity, they were nothing.³⁵ Mr. G. concluded by giving his support to the bill, with the hope of amending it in the committee, so as to include Free Grammar Schools in the most populous town and townships of the Province.³⁶

MR. ROBINSON was not abashed at the frequent reference that had been made to him, by the hon. member for Leeds, and he was particularly obliged to him (Mr. Gowan) for reading the resolutions about the School lands, as it shews that the family compact, the Boultons, Robinsons, &c., were not those desperate characters that they were represented to be. It turns out that we were just as liberal, as others. He did concur with all the resolutions that were read by the hon. member for Leeds, and he certainly desired to see education promoted by bringing the Grammar schools into use. Let the hon. member for Leeds bring a well digested plan with respect to these lands before this House, and he would support it.--The Bishop of Toronto had done more to advance education in the Province than any other individual, and the reason why the agitators wish to pull down King's College is on account of its success, and the credit it has given to the Church of England. He did not consider they would settle the question by this bill, he would rather call it unsettling the question, for it is settled as much as it can be by a Royal Charter and an Act of the Provincial Parliament; and from the enquiries that he had made, he found that the people were more in favour of an equitable division of the endowment, than of the scheme of the Attorney General. He would vote for such a division, as he considered it extremely injurious to the institution that this agitation should be continually kept up; it had already had such an effect upon the College, that it was degenerating into a mere medical school. He certainly did not approve of all the management of the College, for he was not more pleased than the hon. member for the South Riding of York (Mr. Price) with the splendid chairs that he saw in the hall of the College. He considered this extravagant expense might have been spared, for the circumstances of the country did not warrant it.³⁷

MR. INSP. GEN. CAYLEY had the misfortune to differ in opinion from his colleague (Mr. Draper) on this question. But before giving his views on this important subject, he must do his friend the justice to state that it is not the case that he (Mr. Draper) wished to postpone the introduction of this bill, for at an early period of the session, he stated at a meeting of his political friends that he intended to introduce the bill, but at the earnest request of many of them, he consented to postpone the introduction of it for some time. He (Mr. C.) had not the command of language that his hon. friend (Mr. Draper) had--a talent which he had

rarely seen excelled, and seldom equalled in any country; but he would endeavour to express his opinions in as few words as possible. He considered that this measure will not settle the question, for Regiopolis and Victoria Colleges are not in a position to take advantage of the measure; they have now extensive buildings in Kingston and Cobourg, and they have not funds to build in Toronto. He was of opinion that the Roman Catholics will not come into any general measure and they are a sixth of the whole population of Upper Canada. Queen's College is the only one of the present chartered institutions who have funds, so that they can take advantage of this measure. It had been said that the lower and middle classes are better educated in Scotland than in England; this he (Mr. C.) attributed to the fact, that a superior education can be obtained at a lower rate in the former country than in the latter, there are only two universities in England while there are five in Scotland. He (Mr. C.) was in favor of a division of the endowment of King's College among the present chartered institutions; that division to be made by the Home Government. It would not do to divide it among the smaller sects. It is better to have Colleges in different parts of the country than to have one great institution in Toronto, thereby making a superior education more attainable by all classes, and establishing a kind of rivalry, and healthy circulation between the different institutions. He considered that the endowment was sufficient to put all the present Colleges on a respectable footing--it now amounts to about £900 a year. It was not in his opinion expedient to give the Professor such a salary as would make him independent of his class. Edinburgh University has not an endowment of more than £3000 or £4000 a-year, and none of its Professors receive from this fund more than £200 a-year, and yet it has 2000 students; while Glasgow University which has an endowment of about £9000 a-year has only 1200 students. Thus shewing that it is not good for an institution to be too rich. He believed that a fund of nearly £100,000³⁸ would be created from the unappropriated Clergy Reserves, and this might be made an endowment for Colleges of those denominations, who were entitled to these Clergy Reserves. He considered, therefore, the only plausible plan was to divide the endowment of King's College among those institutions who are now chartered, and this plan he was disposed to support³⁹, but he could not consent to such an anomaly as would be established by the mixed religion University of his colleague. He wished sincerely to see this question settled for ever, and to the advantage of the whole population of Upper Canada, but he did not think this desirable object would be effected by this session.⁴⁰

MR. BALDWIN⁴¹ entirely concurred in that part of the speech of the hon. member for Simcoe, which testified to the zeal for educating the youth of the country, which had always distinguished the character of the Bishop of Toronto; he (Mr. B.) had, like his hon. friend from Simcoe, received his early education from that venerable Prelate, and he would yield to none in respect and esteem for his exalted and estimable character. At the same time the duty which he (Mr. B.) owed to his conscience and to his country, required that he should render no further

support to any scheme that might be propounded or concurred in by the Bishop, than that which his opinion of the merits of the case fully and clearly justified. In reference to the correspondence describing the condition of the College of Belfast, which had been read by the hon. member for Simcoe, he (Mr. B.) thought it ought not to be too strictly relied upon; the opinions contained in the letter were no doubt sincerely given, but he feared that they so tickled the fancy of the hon. member opposite that he entirely forgot, that in urging them upon the consideration of the House, he was bringing the views of an individual to bear against those of the Imperial Government which had, too, been solemnly sanctioned by the Imperial Parliament. (Hear, hear.) He (Mr. B.) was sorry to find that the hon. member for Huron was not prepared to do more than merely speculate upon the great question of the state of King's College, and he still more regretted that it should enter into the hon. gentleman's speculations to divide the endowment amongst the different Colleges of Upper Canada; he (Mr. B.) was entirely opposed to a division of the endowment in any shape; it should be preserved for one great University, such as would suit the wants and wishes of an increasing and intelligent people, (hear, hear,) and if ever a proposition to the contrary came up he would be found sternly (sic) and unflinchingly opposing it; indeed one of his objections to the measure then before the House was, that in effect it was not applying the land to a University purpose, but cutting it up and apportioning it among the different denominations. He participated in the regret that had been expressed by the learned At. Gl. West respecting the motion to postpone the question, but he had no controul over the matter; he had not been consulted upon it, and as he was connected with the hon. mover of the amendment in no other way than by the mere fortuitous circumstance that they arrive at the same conclusion from directly opposite reasons, he felt that he could not with propriety, attempt to dissuade the hon. gentleman from the course he had resolved upon; it was, however, not very difficult for him (Mr. B.) to meet either question, for he looked upon them as amounting to the same thing; the resolution of postponement he regarded as merely another way of getting rid of the bill; he had no such expectation as that the bill would ever be improved; he held no terms with it; he believed then, as he did before, that it was not the measure that was required, and the more it was looked into, as was well said by the hon. member for Middlesex, who last year voted for it, the less calculated would it be found to effect any substantial good.⁴² He would vote for the amendment because it would throw the Bill out, and not because he was anxious for postponement.⁴³ As regarded the complaints of the hon. member for London against those who asked for delay last year and their complaints against him in return, he (Mr. B.) thought it was a matter between the hon. gentlemen themselves, it somewhat resembled a family quarrel in which it was neither wise nor politic for a stranger to interfere; but he (Mr. B.) could not help observing that this mutual complaining was the natural consequence of the false position in which both parties placed themselves last Session; he (Mr. B.) foresaw that the present difficulty would arise from the course then taken, and which was meant, on the part of the Ministers, to smooth over a real, substantial, defeat.

(Hear, hear.) Yes, it was undoubtedly a defeat; the language of the hon. member for Hastings in voting upon that occasion was "if I did not think that the further consideration of the bill would be postponed after the second reading I would vote against it." Why did not the Hon. Attorney General West then rise in his place and tell the hon. member for Hastings that he was bound to vote according to his view of the merits of the question, and that he had no right to assume that the bill would not be carried through; but that would not suit; Hastings might be lost, so might other places, which at the moment shewed no outward sign of defection, and hence, as every one saw at the time, was the bill virtually and of necessity abandoned for the Session. (Hear, hear.) He (Mr. B.) referred thus minutely to the history of that defeat chiefly in justice to himself; he felt that it was not too much for him to do so after the abuse that had been heaped upon him for his vote upon the occasion, especially by those demi-official gentlemen of the Press; he then held in his hand two or three numbers of the Montreal Gazette of that time in which he was spoken of in terms of rather varied force and import; at first, before the second reading came on, "Mr. Baldwin could not be capable of such a sacrifice of character and self respect as to vote against a bill in all material respects the same as his own;" this was in the angling tone, the bill being the "same as his own" was supposed to be good bait, but he (Mr. B.) did not bite, and when that was discovered, when he voted against the bill, then was "his conduct a thing of pain and humiliation," "he was not virtuous enough to do what was right although he had virtue enough (sic) to prevent his running the unchecked career of wrong"--"he was the head of a party but there trailed a slimy venom behind of which he was one and incorporate." This was the sort of abuse which was then circulated from Dan to Beersheba against him (Mr. B.) by the Organs of the Government, altho' it must have been evident, as the sequel now proves, that his opposition was well founded, and was perfectly consistent with his previously declared views of the question at issue; indeed the Hon. Attorney General West, himself, who was not such a bad fellow after all, (laughter) admitted that his (Mr. B.'s) bill was not similar to the Ministerial measure, and he (Mr. B.) had much pleasure in referring to the candid testimony of his learned friend as a set off against the demi-official slang he had quoted. But he could not, at the same time, forbear asking how many now belonged to the "trail?" (Laughter.) How many now had lost the virtue of doing what was right? (Loud laughter.) Did not the hon. member for London, himself, come in for a share of the "slime"? (Cheers and laughter.) Surely he did, for, as a Minister, he had abandoned the measure which it was so heinous in him (Mr. B.) and his friends to oppose, he stripped it of the talismanic influence of Ministerial authority, and allowed it to fall into hands at once uncertain and irresponsible. He (Mr. B.) felt much pleasure in referring next to the points, in connection with the measure before the House, upon which he agreed (sic) with those of Her Majesty's Ministers, who were committed to the bill. He agreed with them that the great object should be to preserve intact the whole of the endowment for one grand and extensive University; they also agreed as to the importance of the question; he (Mr. B.) knew no question more important

either as regarded the property itself, the object to which it was to be appropriated, and the influence which the legislation arising out of it would have on future generations.--He need not go over the history of the endowment; it had already been fully exposed by the hon. member for Leeds; it was shewn that from the moment the charter was granted it was an object of the greatest anxiety to the people and Parliament of the Province. Since the Union, the excitement ran quite as high as before; it was not necessary to remind hon. members that at the disruption of the Ministry with which he (Mr. B.) was connected, it was said that the real cause of the resignation was that the Ministers foresaw that they would not be able to carry the University bill they had prepared and were about to submit. Then came the general elections, during which the cry resounded throughout Upper Canada "support the Governor General and we will get a good University measure," through the press, too, aye and the sectarian press, the hope and promise was "the Governor General will give us a good measure"; then came the speech from the throne, in which it was referred too (sic); so far public expectation was realized, and it was thought that at an early day we should have full and complete, the crowning object of the late Governor General's reign,--but from day to day hope was deferred; at length, however promise again appeared; it was announced that the Attorney General West, then in the Legislative Council was about to unlord himself and come down to that House to take the lead in forwarding the public interests; and sure enough down he did come, and then appeared the bill by which he (the Attorney General) was "to stand or fall." There arose at this time, however, a little episode which he (Mr. B.) should like to say a word upon. The hon. member for Simcoe had, about that time, joined the administration; and, as the hon. gentleman had been a Cabinet Minister before, and was acquainted with the mode of proceeding towards each other common to Ministers of the Crown, it was of course thought upon all hands that he had entered the Cabinet clearly understanding his position and that he would go on smoothly and successfully with his colleagues; but, strange to say when the University Bill was about to appear, there arose what in latter days is called an "antagonism," and the Inspector General, who no doubt it was thought at one time would find no difficulty in getting down any bolus that might be offered by the learned Attorney Gen. West, was found to have tendered his resignation. This was followed by another resignation--that of the Solicitor General West; and then came the crowning affair of all--which was, that although both resignations arose from precisely the same cause, one was accepted and the other was not.⁴⁴

Hear, hear, from both sides.⁴⁵

MR. BALDWIN ((continued:))--This was a phase in the general proceeding which he (Mr. B.) could not, from that day to this understand,--and he doubted whether the members of the Administration could, were they to attempt it, ever make it sufficiently comprehensible to him. (Hear, hear.)--Another striking feature in the case was, that the gentleman whose resignation was accepted was a member of the Cabinet, and the other

was not. (Hear, hear.) But it might be asked how, after all, did the hon. member vote whose resignation was not accepted? Why, he actually voted for the second reading of the bill. (Loud cries of hear, hear, and laughter.) After this it might be presumed that the anomalies were over, that Ministers had got to the bottom of their sack; (laughter) not so however, another and a stranger fact remained yet to be told, which was, that although they accepted the resignation of one colleague who would not vote for the bill, they actually replaced him in the Government, and in that House by a gentleman who has declared that he will not vote for it either!⁴⁶

Hear, hear from both sides.⁴⁷

MR. BALDWIN ((continued:))--Here was a concatenation of anomalies in the management of a Government utterly unknown to all previous, as he trusted that would be to all future, experience, (hear, hear,) and all this occurred in connection with a measure which the learned Attorney General West had declared he would stand or fall by, upon which he had made up his mind, and upon which his colleagues had, he said, made up theirs. Here the hon. member read the following extracts from the speech of Mr. Draper on the second reading of the bill, 11th March, 1845, commenting upon various passages of them as he went along with much force and humor. After referring to the unsettled state of the question, the great public interests at stake, and which were so dependent upon the "just and speedy settlement of the question," Mr. Draper said, "For my own part I may safely say that if there be one question more than another, which, if it were possible, consistent with my sense of public duty I could wish to avoid, it is this one. Or if there be any one thing which, more than another would make me hail with joy a retirement from public cares to private life, it would be the desire to escape from the responsibility of this measure. I know no measure, the cares of which would make me so anxious to take that course. But it is my bounden duty especially, connected as I am with a Ministry which grounds its proceedings on the principles contained in the resolutions of 1841, I say it is my bounden duty not to shrink from any great question which concerns the welfare of the country. I stand in such a position that I must either stand or fall by this measure, upon which I have made up my mind, and upon which my colleagues have made up theirs." And after touching on the religious prejudices which the question affected, he proceeded. "If we at present can only see the storm gathering in the distance, let us not wait till we find it bursting over our heads before we exert our selves to provide a remedy. It was for the reasons which he had already stated, that he conceived he had no alternative but this, either to try to deal fairly with this great question at once, or to retire from the Councils of the Province. There was no other alternative unless he had wished to throw the brand of discord into the community." And in concluding, having referred to the expected application from the College to be heard by Counsel against the bill, he said, "If he could believe that it would not have the effect of throwing the measure over for the present Session, and if he were convinced that the majority of the House were in favour of it perhaps he would not resist the wishes of his friends or even the

desires of those who were usually opposed to him. But he must oppose a motion which was made under circumstances which drove him to the conclusion that nothing but delay was sought for. So far as he was concerned, and as far as those were concerned who acted with him, he could say that if they had not felt that the duty of settling the question was paramount, if they had not felt that the longer it was delayed, the greater the evils which arose from it would become, and in saying this he only gave utterance to a sentiment which everyone must concur in. He said, if they had not felt these sentiments it would have been a great relief to them to have been spared the pain of entering upon this subject." After reading the above Mr. Baldwin resumed by asking, could it be believed after such language on the part of the leader of the Ministry, that the University question would not be settled, and least of all, could it be suspected that if it were not disposed of immediately it would be shorn of its importance in the Government, or put off from Session to Session; yet do we find that after having a whole year to arrange for a determined and final action, no mention is made of it in the opening speech, and in the House it is allowed to be brought forward, by mere accident too, it would appear, by an independent member. Was such a course not calculated to depress and grieve all who, like him (Mr. B.) sincerely desired a settlement of the question. He (Mr. B.) could not understand how such a change had occurred, and how those who affected to love the fame of Lord Metcalfe, could thus abandon a measure that was represented as one of the great objects of his Government; the only probable cause that he (Mr. B.) could assign for the very extraordinary abandonment of the question was, the fact of the hon. member for Huron having obtained a seat on the Treasury benches.--(Hear, hear.) It was doubtless conceived that hon. member did not concur with his colleagues in the matter, it would be awkward to allude to it again from the throne, or to resume it as a Government question.⁴⁸

MR. CAYLEY nodded assent.⁴⁹

Much had been said ((continued)) MR. BALDWIN about the present Ministry representing the country, but he would ask, who did they represent as they then stood? Three-fourths of the members of the Church of England, and the great bulk of the rest of the population of Canada demanded a reform in the constitution and management of King's College, and behold how the Ministry, who pretend to represent them have acted! Instead of advancing they actually make a retrograde movement. He defied the ministers to produce a precedent for such an act from the whole history of Legislation; he could understand how, on such questions as Catholic emancipation or Parliamentary reform, that took some time to roll on to perfection, Ministers might hesitate as to a decisive course, but he never before heard of such a case, and believed it to be unparalleled as that of a Ministry having solemnly adopted a question staked their existence upon it, and then, instead of strengthening themselves so as to carry out their pledge promptly and honestly, dare to make a retrograde movement, and in the face of all their previous declarations announce it to be an open question! (Hear, hear and loud cheers.) If ever there was a case which called for decisive action on the part of the country it was that;

it was clear that there was no way of carrying such a measure as the University bill but by making it a firm cabinet question and yet did we hear a member of the Government say that he held no other than speculative opinions upon the subject. It had been said that the days of impeachment were gone by, but as far as moral guilt went, the Ministers richly deserved impeachment and would certainly be impeached by the country for the gross dereliction of duty of which they had been guilty. (Cheers.) The hon. member next referred to the manner in which the bill had been introduced; it did not appear before the 5th May and then Mr. Hall was allowed to introduce it in half joke half earnest, neither he (Mr. Hall) nor the Attorney General offering any explanation of the change in the views of the Government, nor indeed as to the nature of the bill. He then adverted to the speech of Mr. Chauveau, characterised it as truly eloquent and as containing unanswerable arguments as to the position of the Ministry; there was no escaping from the dilemma in which he (Mr. C.) placed them. It would, he said, be recollected that when in the course of his most eloquent speech the hon. and learned member for the country of Quebec (Mr. Chauveau) observed that the Lower Canadians owed little to members from the Upper section of the Province of either political class hon. members on the Ministerial side cheered exultingly; he (Mr. B.) would advise the members opposite who thus exulted not to be too prodigal of such cheers: it might turn out that they were mistaken in the particular view that animated them⁵⁰.

Hear, hear from the French members⁵¹.

MR. BALDWIN.--In some votes which he felt it his duty to give he had, doubtless, disappointed some of his friends belonging to Lower Canada, but he felt, nay he knew, that there was not a man amongst them who attributed his conduct to any other than correct motives⁵².

Hear, hear and enthusiastic cheers from the French members.⁵³

MR. BALDWIN ((continued:)) In reference, once more, to the question before the House he would say that he agreed with the honourable member for London that the action to be taken upon it should be final (hear, hear;) it would be far better to leave it as it was than to introduce a measure that would merely go the length of tinkering with it. He was, he would repeat, entirely against a splitting up of the endowment, the country wanted one great institution and he saw no means of effecting that except by husbanding the means they possessed, (hear, hear) he did not think the people of Upper Canada, unless they were deceived into it by the representations of leading men, desired any other than one ample liberal institution in which the children of the Province without distinction of creed, or any other distinction whatever, could meet, be educated together, and cultivate a lasting and brotherly friendship; (cheers) he (Mr. B.) ardently desired such a consummation⁵⁴. He was in favour of an University in which no religion should predominate, and in the advantages of which all denominations might share.⁵⁵ He did not wish, and he thought he had given the best proof of it, that his children should be brought up in seclusion from, and under a sense of hostility towards, those of any other section of the people; (cheers,) he detested the

principle of scaring, by any species of bugaboo, one child from the society and love of the other. He (Mr. B.) thought he could prove that the bill before the House was not calculated to attain that great object which the learned Attorney General admitted to be so necessary, and which he professed himself so deeply anxious for, viz, a prompt and final settlement of the question by means of satisfying the demands of the different denominations. What was the state of the people of Upper Canada as regarded denominational divisions. There were

Ep. of Church of England	.	.	.	.	129,000
Roman Catholics	.	.	.	.	78,000

Presbyterians--

Church of Scotland	.	.	31,000	
Free Church	.	.	62,000	
Other Presbyterians	.	.	21,000	-- 114,000

Methodists--

B. Wesleyans	.	.	28,000	
C. Wesleyans	.	.	39,000	
Ep. Methodists	.	.	24,000	
Other Methodists	.	.	9,000	-- 100,000
Baptists and Anabaptists	.	.		20,000

Miscellaneous Denominations--

Quakers	.	.	6,000	
Lutherans	.	.	5,000	
Congregationalists and Independents	.	.	5,000	
Menonists and Tunkers	.	.	2,000	
Dutch Ref. Church	.	.	1,000	
Jews	.	.	1,000	-- 20,000
Other Denominations	.	.		24,000

He had taken these statistics from the returns of 1842, and put the several denominations down in round numbers for convenience. These returns did not, as would be recollected, shew the relative numbers of the Free and Residuary Churches of Scotland: he had, herefore, been obliged to assume the proportions to be one-third to the Residuary Church, and two thirds to the Free Church, which he was sure would be considered by all acquainted with the subject as highly favourable to the Residuary Church. Indeed he had been told that that Church did not retain much more than one-fifth of those returned in 1842 as belonging to the Church of Scotland; he had, however, taken it at one-third to be on the sure side. Such was the extent and variety of the communities for whose permanent peace and benefit it was proposed to divide the endowment. Besides, a vast proportion of the country was yet a wilderness, and the division that would be satisfactory to-day, might in a few years, as the country became settled and sects increased, be a fresh

source of jealousy and clamour. (Hear.) Well might the hon. member for Huron talk of speculation. The measure of his hon. colleague was certainly speculative in a most abundant and prolific degree. Once more would he (Mr. B.) object to the bill on the ground that instead of applying the proceeds of the lands to the great purpose of bringing in youth of all denominations together, and securing for them an education of the highest order in all branches of useful knowledge, it proposed to keep them separate, each sect from the other and offered a premium for multiplying small denominational colleges. What are the provisions of the bill? A college with 15 students is to have from £300 to £500 per annum, one with 20 from £500 to £600, one with 30 from £600 to £750, one with 40 from £750 to £1000, and one with 50 and upwards, from £1000 to £1200. What, he would ask, would be the inevitable result of such a system? Would it not be that as soon as a denomination could send 65 students to the University instead of being satisfied with one College, one vote in the Councils of the University, and £1200 from the funds of it, they would, if they had sufficient influence to obtain charters, divide their students into two or more Colleges; and in that way would a favored denomination have it in their power to increase their votes in the Caput from one to four, and be enabled to draw from the funds £2100 per annum. Then by dividing 65 students between two Colleges, with 50 in one and 15 in another, they would be entitled to two votes and £1500, or dividing them 20 in one College, and 15 each in 3 others, they would secure 4 votes and £2100. There was also, the principle of tests which was retained by the present measure, and to which he (Mr. B.) was decidedly opposed. He had already referred to the fact that the latest legislation in the Imperial Parliament sanctioned the general principles of the bill which he (sic) (Mr. B.) had prepared in reference as well to the teaching of theology as to tests. (Hear, hear.) While upon that point he would observe that he thought the hon. member for Toronto (Mr. Boulton) a little indiscreet in introducing the name of the Catholic Bishop of Toronto in connection with the Catholic meeting recently held in that city; it was his (Mr. B's) opinion that the Bishop had authorised no one to say what were his sentiments in reference to that meeting.⁵⁶

MR. BOULTON explained that he did not mean to convey that he spoke by authority of the Bishop.⁵⁷

MR. BALDWIN was glad to hear that explanation, and did not doubt that the allusion to Mr. Terence O'Neil of Toronto, made by the hon. member at the same time, was susceptible of like qualification. Mr. O'Neil was known to be a highly respectable citizen, and was not liable to any such imputation as that which the hon. member would seem to throw out.⁵⁸

MR. BOULTON had no intention to speak offensively of Mr. O'Neil; he had merely stated that the opinion expressed by that gentlemen, at the meeting referred to, that the College ought to be thrown open to all, even infidels, was not participated in by the Catholic Bishop or by respectable Catholics generally.⁵⁹

MR. BALDWIN resumed.--Hon. members were aware that many of the leading dignitaries of the Catholic Church in Ireland were favorable to the new College bill, as were also Bishops of the Church of England; of the former were the Catholic Primate of Ireland Dr. Crolly, and the Archbishop of Dublin Dr. Murray; and foremost among the latter (sic) was the Protestant Primate, one of the Beresford family. It was true that the Clergy of both Churches differed upon the subject to a considerable extent, but it could not be disputed that high and important approbation had been elicited, and he (Mr. B.) would ask if it were at all practicable to carry out the principle contended for in Ireland where Protestantism was comparatively speaking, a mere drop in the bucket, how much more so ought it be in this country where such a large proportion of the people belonged to that section of the Christian world. Another difficulty in reference to the present bill was that according to his (Mr. B.'s) view, it was doubtful under what authority Professors would be appointed. To him it was not clear whether the appointments were to emanate from Her Majesty irrespective of Colonial Authority, from the Governor General as the representative of the Queen independently of his Council, or whether they would be made according to the principles of Responsible Government, that is, by and with the advice of a Responsible Executive. He should not approve of either of these modes, but he thought the second the most objectionable. If Professors were selected by the Queen we might have something to fear from the influence of the English Hierarchy but there could be no doubt that competent men would always be appointed, whereas if the Governor were vested with irresponsible power there would be the two fold danger of the appointment of incompetent men for mere political purposes. He (Mr. B.) still adhered to the view adopted by himself and his Colleagues, that the selection of Professors should be in no way connected with politics, but should be determined upon by a competent and impartial Board. (Hear, hear, hear.) A further and most serious objection to the bill was, that instead of the influence of the Church of England being diminished in the government of the College, as was demanded by the country, it would be materially increased. It was proposed that the Council be composed thus:--

Vice Chancellor of the University,	Episcopalian	
Chief Justice of U.C.	do	
Vice Chancellor of U.C.	do	
President of King's College	do	
Senior Puisne Judge of C. C.	do	
President of Upper Canada College	do	-- 6
Pres't of Queen's College--Kirk of Scotland		-- 1
do Victoria do Methodist	. .	1
do Regiopolis do Catholic	. .	1
do Free Church do	. .	1
do Baptist do	. .	1
		<hr/> 5

Thus would the Board consist of 6 Episcopalians to one of each of the other denominations, and as 6 to 5 of all the others put together! He

would ask was such an arrangement likely to give satisfaction? One of the present complaints was the overwhelming influence of the Church of England in the management of the College. Was the plan he had detailed likely to remove that complaint? Would it, or could it, contribute to what was called "a final settlement of the question?" No! It was believed on all hands that there was nothing of finality about the bill; the country evidently regarded it in that light, and wisely refrained from affording that countenance and support which would otherwise be certainly extended. What was the fact with regard to petitions on the subject? It was, that although a whole year had elapsed since the second reading of the bill, and although that delay was granted avowedly for the purpose of ascertaining public opinion, yet but one solitary petition in favor of the bill came from Upper Canada, and but five or six others, got up in Montreal and its immediate neighbourhood, which were presented on that very day by the hon. member for Kingston, and to which were appended the aggregate number of 212 names;--one was from Lachine, another from Laprairie, another from Three Rivers, and the rest from Congregations in Montreal. This was the amount of support that had been obtained; while he (Mr. B.) had presented a number of petitions, certainly some thousand of signatures, against the bill, and his hon. friend from South York had also laid several on the table, and amongst them one from the Catholics of Toronto, signed by upwards of one thousand of that body. (Hear.) But he (Mr. B.) would go further, and say that even those who supported the bill did not regard it as a final measure; nay, he would venture to add thst (sic) the hon. member, upon whom it devolved, by mere accident of course, to introduce it this Session did not consider it calculated to realise the object of the hon. and learned Attorney General West, viz: "a speedy settlement of the question."⁶⁰

MR. HALL did not look upon the measure as final.⁶¹

MR. BALDWIN.--Well then how could it be recommended to the support of those who desired further legislation on the College question, only that it might, satisfactorily and for ever, set it at rest? (Hear, hear.) Would not he (Mr. B.) have been guilty of treason towards his country, had he adopted a different course to that which he has pursued since the measure was first introduced. (Hear, hear.) Was he not bound to advise his hon. friends to act as they had⁶².

Hear, hear, and cheers from the liberal members⁶³.

MR. BALDWIN ((continued:)) And was it not still his duty to call upon them to join him in resisting a scheme which could only operate as another brand of discord among the people of Upper Canada; which, as they saw, was satisfactory to neither party, neither to those who resisted Reform in the College, nor to those who desired it; which would correct none of the abuses said to exist, nor satisfy any one that they did not exist; and which was, therefore, certain to lead to further interference, further vexation and embarrassment, and in the end would endanger the

very existence of the Institution (cheers.) He (Mr. B.) warned Her Majesty's Ministers last year that their measure was calculated not to remedy but to aggravate the evils complained of; it was then imputed to him that his opposition was factious, that he desired merely to destroy the Ministry; now, however, he could proudly refer to that warning; (cheers) he could, in defence of himself and his friends triumphantly point to the present position of the bill, virtually abandoned by the Ministers who introduced it, denounced as incomplete and inefficient by members who last year supported it (cheers) and who tell us, to boot, that their former vote was "to save the Ministry." (Enthusiastic cheers.) Well might the Ministers ask to be "saved" from such friends! He would again vote for the rejection of the bill and was proud to see that such was also the resolve of an overwhelming majority of the House.⁶⁴

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And the question being put upon the said amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Boulton, Bouthillier, Cauchon, Cayley, Chabot, Chauveau, DeWitt, Drummond, Duggan, Ermatinger, Foster, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, LeMoine, Leslie, Macdonald of CORNWALL, Macdonald of GLENGARRY, Macdonell of STORMONT, Merritt, Méthot, Moffatt, Monro, Morin, Nelson, Price, Robinson, Rousseau, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of WENTWORTH, Taché, Watts, and Williams.--(40.)

NAYS.

Chalmers, Christie, Cummings, Daly, Dickson, Attorney General Draper, Gowan, Hall, Jessup, Macdonald of KINGSTON, Macdonell of DUNDAS, M'Connell, Petrie, Scott, Seymour, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Viger and Woods.--(20.)

*So it was carried in the affirmative.*⁶⁵

The question being then put on the main motion, as amended, the House again divided thereon, and the names being called for, they were taken down as in the last preceding division.

So it was also carried in the affirmative, and

Resolved, That it is inexpedient at this late period of the Session to proceed any further with the Bill to erect a University, by the name and style of the University of Upper Canada.

Matthews'
Attainder Bill.

The Order of the Day for the second reading of the Engrossed Bill from the Legislative Council, entitled, "An Act to reverse the attainder of Peter Matthews, and to avoid the forfeiture of his Estates and Property," being read;

The said Bill was accordingly read a second time.

Ordered, That the said Bill be now read for the third time.
The said Bill was accordingly read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Draper do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same without any amendment.

Message from
Legislative
Council.

A Message from the Legislative Council by
John Fennings Taylor, Esquire, one of the
Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:

Quebec Trinity
House Bill.

"An Act to authorize the Quebec Trinity House to license as Pilots a certain class of persons therein mentioned."

Montreal
Roads Bill.

"An Act to amend and extend the Laws relative to the Turnpike Roads in the neighbourhood of Montreal."

And also,

Montreal
Councillors
and Assessors
Election Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend an Act therein mentioned, to make better provision for the Election of Councillors and Assessors of and for the City of Montreal," with several amendments, to which they

desire the concurrence of the Assembly.

And then he withdrew.

Registrars
Acts Bill.

The Order of the Day for the second reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to make provision for confirming certain Acts of Registrars in that part of this Province formerly Upper Canada," being read;

The said Bill was read accordingly.

Ordered, That the said Bill be read for the third time to-morrow.

Magistrates
Appointment
Bill.

The Order of the Day for the second reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to provide for the appointment "of Magistrates for the more remote parts of this

Province," being read;

The said Bill was read accordingly.

Ordered, That the said Bill be read for the third time to-morrow.

Attorneys
Certificates
Bill, (U.C.)

The Order of the Day for the second reading of the Bill to amend the Laws now in force regulating the taking out of Certificates by Attorneys and

Solicitors in Upper Canada, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House to-morrow.

Contingencies.

The Order of the Day for the House in Committee on the Third Report of the Standing Committee on Contingencies, being read;

The House accordingly resolved itself into the said Committee.

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Mr. Drummond took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Drummond reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth;--

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of William Burns Lindsay, Esquire, the Clerk of this House, for the sum of Four thousand pounds, currency, towards defraying the Contingencies of this House, and assuring His Excellency that this House will make good the same.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Vacancies in Corporations Bill, (L.C.)

The Order of the Day for the second reading of the Bill to define and extend the powers of the Court of Queen's Bench in Lower Canada, relative to usurpations and vacancies occurring in Corporations, and for other purposes therein mentioned, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Armstrong took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Armstrong reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Cobourg Incorporation Bill.

The Order of the Day for the House in Committee on the Bill to alter and amend the Act of Incorporation of the Town of Cobourg, being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonell of Dundas took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Dundas reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Toronto In-
corporation
Act Bill.

The Order of the Day for the House in
Committee on the Bill to amend the Act of Incor-
poration of the City of Toronto, being read;

The House accordingly resolved itself into
the said Committee.

Mr. Cauchon took the Chair of the Committee.

Several Members having retired,

Mr. Speaker resumed the Chair;

And the names of the Members present were taken down as followeth;--

MR. SPEAKER.

Quorum.

Baldwin, Boulton, Cauchon, Duggan, Foster,
Gowan, Hale, Lantier, Laurin, M'Connell, Méthot,
Moffatt, Monro, Robinson, Rousseau, Taché, and Viger.

And, at midnight, Mr. Speaker adjourned the House for want of a
Quorum.

APPENDIX, 29 MAY 1846.

((QUESTION AND ANSWER RE: STOPPAGE OF CLERGY RESERVES
SALES.))⁶⁶

MR. BALDWIN in referring to the return to his address for information on the subject of stoppage of the sale of the Clergy Reserves, remarked that the hon. Attorney General had asserted that there had been no despatch from the Home Government to occasion that stoppage. Now, on looking over the return, he found one of the circulars, signed by Mr. Papineau, commencing "In consequence of a Despatch from the Colonial Secretary".⁶⁷

MR. AT. GEN. DRAPER said, that Mr. Papineau was not then in the House to explain the circumstances; but he repeated deliberately that there had been no despatch whatever of the tenor alluded to by the hon. gentleman opposite.⁶⁸

((QUESTION AND ANSWER RE: BEAUHARNOIS CANAL.))⁶⁹

MR. MORIN ((asked a question)).⁷⁰

MR. AT. GEN. SMITH said, that Ministers were not prepared to bring in any measure for the payment of damages done by the workmen on the Beauharnois Canal, and that they were not aware that any arther (sic) damages were likely to occur from a similar cause.⁷¹

FOOTNOTES - 29 MAY 1846.

1. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 2 June 1846, and MONTREAL GAZETTE, 2 June 1846, in accounts which are identical.
2. MONTREAL TRANSCRIPT, 2 June 1846.
3. IBID.
4. IBID.
5. IBID.
6. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 2 June 1846, MONTREAL GAZETTE, 2 June 1846, KINGSTON NEWS, 4 June 1846, BRITISH COLONIST, 6 June 1846, and ST. CATHARINES JOURNAL, 11 June 1846, in identical accounts; MIRROR, 29 May 1846, and PILOT, 2 June 1846, in identical accounts; MONTREAL GAZETTE, 2 June 1846, and MIRROR, 29 May 1846, in accounts which are identical except the GAZETTE has omitted some speakers; MIRROR, 29 May 1846, and MONTREAL TRANSCRIPT, 2 June 1846, in accounts which contain some identical speeches, and some which are completely dissimilar; LA MINERVE, 1 June 1846, in an account abbreviated but otherwise identical to that of the PILOT, 30 May 1846; and PILOT, 30 May 1846, whose account was copied by BROCKVILLE RECORDER, 4 June 1846. Commentaries are contained in PILOT, 2 June 1846, MONTREAL TRANSCRIPT, 2 June 1846, BRITISH COLONIST, 6 June 1846, and L'AUORE, 3 June 1846.
7. MIRROR, 29 May 1846.
8. IBID.
9. IBID.
10. MIRROR, 29 May 1846. The MIRROR added: "Owing to the noise in the street at the time he was speaking, we could not catch what he said."
11. MONTREAL TRANSCRIPT, 2 June 1846.
12. MIRROR, 29 May 1846.
13. MONTREAL TRANSCRIPT, 2 June 1846.
14. MIRROR, 29 May 1846.
15. IBID.
16. MONTREAL TRANSCRIPT, 2 June 1846.
17. MIRROR, 29 May 1846.
18. IBID.
19. MONTREAL TRANSCRIPT, 2 June 1846.
20. MIRROR, 29 May 1846.
21. IBID.
22. IBID.
23. IBID.
24. MONTREAL TRANSCRIPT, 2 June 1846.
25. MIRROR, 29 May 1846.
26. IBID.
27. IBID.
28. IBID. The House divided on this question again later, at which time the votes were recorded in the JOURNALS.
29. The debate on this matter was reported by: MIRROR, 29 May 1846, PILOT, 4 June 1846, and BRITISH COLONIST, 12 June 1846, in accounts which

are identical except that in the BRITISH COLONIST some speeches have been omitted entirely. All speeches except Gowan's are identical to the MIRROR's. Gowan's speech is reported rather more fully in the BRITISH COLONIST than in the MIRROR, but has been taken whenever possible from the MIRROR, for reasons of legibility. The debate was also reported in MONTREAL GAZETTE, 2 June 1846, and BRITISH COLONIST, 6 June 1846, in accounts which are identical; PILOT, 4 June 1846, whose account was copied by KINGSTON NEWS, 11 June 1846, which omitted Robinson's and Cayley's speeches, having mistakenly included these in its account of the previous day's proceedings; PILOT, 30 May 1846, whose account was copied by BROCKVILLE RECORDER, 4 June 1846; LA MINERVE, 1 June 1846, in an account abbreviated but otherwise identical to that of the PILOT, 30 May 1846; and the MONTREAL TRANSCRIPT, 2 June 1846, which merely noted the debate. Commentaries are found in PILOT, 2 June 1846, BRITISH COLONIST, 6 June 1846, and L'AUREORE, 3 June 1846.

30. BRITISH COLONIST, 12 June 1846, noted: "The hon. member spoke for nearly two hours".
31. BRITISH COLONIST, 12 June 1846.
32. MIRROR, 29 May 1846.
33. BRITISH COLONIST, 12 June 1846.
34. MIRROR, 29 May 1846.
35. BRITISH COLONIST, 12 June 1846.
36. MIRROR, 29 May 1846.
37. IBID.
38. IBID. The MONTREAL GAZETTE, 2 June 1846, quoted the figure as £400,000.
39. MIRROR, 29 May 1846.
40. MONTREAL GAZETTE, 2 June 1846.
41. The PILOT, 30 May 1846, described Baldwin's speech as "powerful"; L'AUREORE, 3 June 1846, noted that he spoke for over one hour.
42. MIRROR, 29 May 1846.
43. MONTREAL GAZETTE, 2 June 1846.
44. MIRROR, 29 May 1846.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. MONTREAL GAZETTE, 2 June 1846.
56. MIRROR, 29 May 1846.
57. IBID.
58. IBID.
59. IBID.
60. IBID.

- 61. IBID.
- 62. IBID.
- 63. IBID.
- 64. IBID.
- 65. The results of this division were reported differently by the various papers. According to MONTREAL TRANSCRIPT, 2 June 1846, the majority was 37 to 19; MONTREAL GAZETTE, 30 May 1846, MIRROR, 29 May 1846, and PILOT, 30 May 1846, all reported the Yeas as 39 and the Nays as 19. The PILOT also included Papineau's name in the minority.
- 66. This matter was reported by: MONTREAL TRANSCRIPT, 2 June 1846, and MONTREAL GAZETTE, 2 June 1846, in identical accounts.
- 67. MONTREAL TRANSCRIPT, 2 June 1846.
- 68. IBID.
- 69. This matter was reported by: MONTREAL TRANSCRIPT, 2 June 1846 and MONTREAL GAZETTE, 2 June 1846, in identical accounts.
- 70. MONTREAL TRANSCRIPT, 2 June 1846.
- 71. IBID.

SATURDAY, 30 MAY 1846.

11 O'Clock, A.M.

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Petitions laid
on the table.

THE following Petitions were severally brought up and laid on the table:--

By Mr. Bouthillier,--The Petition of Mrs. Charlotte Frémont, widow of the late Jasper Brewer, Esquire.

By the Honourable Mr. Robinson,--The Petition of the Municipal Council of the District of Simcoe, (relating to a Duty on Foreign Produce;) and the Petition of the Municipal Council of the District of Simcoe, (relating to the Assessment Bill.)

Petitions read.

Pursuant to the Order of the Day, the following Petitions were read:--

Of James Wickens, Esquire, President of the Simcoe District Agricultural Society; complaining that a certain Grant of the Legislature for the improvement of the Roads in the said District has not been expended thereon, and praying relief.

Of the Municipal Council of the District of Niagara; praying that an Act be passed to provide for the removal of the County Town, and that the selection of the site for the same may be left at their disposal.

Of the Municipal Council of the District of Niagara; praying that the Municipal Council Act may be so amended, as to provide for the removal of the place of Meeting of the said Council to a more central part, and that the choice of such place be left at their disposal.

Of the Reverend Daniel Henry and others, of the Independent Church and Congregation at Inverness, Megantic; praying that the Imperial Act for the disposal of the Clergy Reserve Lands may not be interfered with.

Of William R. Beaumont, F. R. C. S. Eng., and others, Medical Practitioners of Upper Canada; praying that the Bill for the incorporation of a College of Physicians and Surgeons may not be passed into a Law, until the Medical Board has an opportunity of expressing its opinion thereon.

Petition of
W. Gibson, et
al. referred.

Resolved, That the Petition of William Gibson and others, Freeholders of the Township of Edwardsburgh, be referred to a Select Committee composed of Mr. Jessup, Mr. Sherwood of Brockville,

Mr. Gowan, Mr. Macdonell of Dundas, and Mr. Macdonell of Stormont, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Customs Act.

Mr. Watts, from the Select Committee appointed to prepare and report the Draught of an humble Address to Her Majesty, in conformity to the Resolution adopted by this House, yesterday, on the subject of the non-exemption from Duty under the Customs Act of last Session, of Cattle and Live Stock introduced from the United States for the use of Her Majesty's Troops, presented to the House the Address prepared by the said Committee; which Address was again read at the Clerk's table, and is as followeth:--

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN.

Address to
Her Majesty.

We, Your Majesty's most dutiful and loyal
Subjects, the Legislative Assembly of Canada, in
Provincial Parliament assembled, most humbly beg

leave to represent:--

That during the last Session of the Provincial Parliament, a Customs Bill was enacted, imposing, among others, certain Duties on Live Stock imported from the United States of America, without containing any

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clause exempting cattle introduced for the use of Your Majesty's Troops.

That this enactment was made after a long and serious debate, and finally carried by an unanimous vote of the Representatives of the People, the exemption in question having been in full operation during the two preceding years, and having been found to render the Law passed for the protection of the Canadian farmer in a great measure inoperative; although Your Majesty's Provincial Government were aware of the fact, and took every possible precaution to prevent frauds.

That although it may be true that this was a departure from "an acknowledged principle observed by every Possession of the Crown," yet it was not intended to be ungracious: It was called for by the peculiar position of this Colony, as compared with Your Majesty's other Possessions, having a line of frontier some 1,500 miles in extent, bordering on and separated from a Foreign power, in many parts by an imaginary line.

That although for a short period Your Majesty's Government may be called upon to pay a sum which we trust Your Majesty will consider unimportant when compared with the permanent advantages that may reasonably be expected from the present Law, this House is fully confident, that the supply from the Colony can meet the demand. In the case of the unforeseen exigencies, Your Majesty will always find your faithful subjects in Canada ready to co-operate with Your Majesty's Government in providing a remedy.

That the Act in question intended to encourage the raising of Cattle in the Country, was loudly demanded by the Agriculturists of this Province as a Counter-Protection to the duties levied on Canadian Cattle entering the United States, and that its enactment has given general satisfaction throughout the Province.

That this House assures Your Majesty, that any proceeding to interfere with this Act would cause general and extreme discontent throughout every County in this Province.

That while the Colonists are anxiously awaiting the result of the advice which has been tendered to Your Majesty, to withdraw the protection hitherto enjoyed by them in their Commercial transactions with the Mother Country, this further step would compel your Canadian subjects when trading with the Americans in the respective Markets of the two Countries, to do so at a disadvantage of 20 per cent.

That this fact could not fail to produce among the Colonists generally,

an impression that the Imperial Government had placed the Americans, a foreign people, on a more favorable footing than themselves, against the express will of the local Legislature; an impression, however, which this House fervently prays, that the wisdom of Your Majesty's Councils may prevent, by a due regard to the wishes of the loyal inhabitants of the Colony, as expressed through their Representatives in Parliament.

That the Representatives of Your Majesty's Canadian subjects are therefore induced to approach Your Majesty with an humble prayer, that Your Majesty may not concur in any advice which may be tendered to Your Majesty to sanction any interference with the Canadian Customs Act passed during the last Session of the Provincial Parliament, in any way beyond the amendments made at the suggestion of Your Majesty's Government during the present Session.

Mr. Watts moved, seconded by the Honourable Mr. Morin, that this House doth concur in the said Address.¹

MR. WATTS ... said in moving the concurrence of the House in the address, that he was astonished that certain hon. members should have endeavoured to shirk this question as they had done, it was laughable he said to see them scampering away one after another; where he would ask was the hon. member for Frontenac? aye where was he? you could see him scampering out of the House when the yeas and nays were called, afraid to vote against the Ministry, and knowing that if he did not he was pursuing a course that would be dangerous to his constituents. Notwithstanding the promises that the Attorney General made to his constituents, yet we find him on this question voting directly opposite to what they would approve.²

It appeared that the Committee had exceeded its instructions, and introduced new matter into the Address.³

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Mr. Duggan moved in amendment, seconded by Mr. Hall, that all the words after "That" in the said motion be struck out, and the following substituted: "the said Address be referred back to the same Select Committee, with an instruction to report the said Address in strict accordance with the Resolution adopted in Committee of the whole House."

MR. SHERWOOD of Brockville, would be ashamed to vote for the address, that should charge duties on the provisions that were required for the soldiers that were sent to protect us. It was like asking a man in to protect your house from thieves, and then charging him board for staying in your house. He would venture to say that every respectable farmer in Upper Canada, would repudiate the idea of imposing duties on the provisions for the troops. He was one of those that was absent from the House when the question was put, but he was absent by accident at the time and not with the intention of shirking the question.⁴

MR. G. MACDONELL of Dundas.--Hon. members are desirous of protecting the British Government rather than the farmers, but he would not do

so, he would support the address without fear of the consequences, even altho' it might be the cause of a change of administration.⁵ ((He)) considered that it was quite right to tax the British government because she was able to pay it.⁶

MR. MERRITT said he would be proud to vote against the Address, he conceived that it was the most objectionable measure ever brought before the House.⁷ The British Government perform duties for Canada, without charge, which even in the U. States are performed by the Federal Government, at a cost of all the import duties now levied.⁸

MR. SMITH of Frontenac when he attacked a member he generally looked round to see if he was in his place. He believed that the hon. ((member)) for Drummond had alluded to him, and said that he had shirked the question. He (Mr. S.) must state that he never did so on any occasion, and never would. He had come here this morning with the express determination to vote for the address; he considered the agriculturists of Upper Canada require that we should pass this address, we have established a protective principle and he would not retract from it.⁹ He conceived that the Bill of last Session had been sent home unaccompanied by proper representations, or it would have been assented to.¹⁰

MR. WILLIAMS could not give his unqualified approbation to this Address. He wished that the farmer should be protected,¹¹ ((therefore)) he wished to have the duties levied, but yet he did not wish that Her Majesty should be compelled to pay them, he thought that they ought to be refunded to Her Majesty. If the provisions were to be admitted free of all duty he would oppose it, as it would open a door to fraud.¹²

MR. HALL, wished that the consideration of the address should be postponed, and stated that the Inspector General had postponed his resolutions for the convenience of the member for Drummond.¹³

MR. WATTS, did not think that he had received any favour from the hands of the hon. Inspector General, he had asked that gentleman, when he intended to bring on his resolutions, and he understood him ((to say)) on Friday. On Thursday when the order of the day was called he had sent his resolution to the printer and not kept a copy so that he was unable to proceed; but there was another reason, the hon. member for Sherbrooke had gone out when the votes were being taken.¹⁴

MR. MOFFATT, was not present when the subject had been brought on before if he had he would have voted against the proposition of the hon. member for Drummond; and he was happy to have that opportunity now. He would ask what the people of England would think of this address,¹⁵ he entreated the House to consider before it committed so ungracious an act, particularly at such a time,¹⁶ when we were possibly on the eve of a war with the United States¹⁷, as levying a tax upon the Imperial Government; while her troops were protecting the country, and absolutely giving a large market to the farmer, and while it was yearly expending such large sums in it.¹⁸ If the ... ((tax)) is really so paltry as it is represented

by the hon. member for Drummond to be, why then not at once concede the matter, instead of getting up a feeling against Canada at home. He felt sure that the British Government could never and would not consent to this Customs bill, unless the amendments were made to it that were proposed by the hon. Inspector General. They would immediately on receiving this address be compelled to go down to the Imperial Parliament, and having stated the facts, ask them to pass a bill, excepting all commissariat stores from the payment of duty in the colonies.--He knew that at present the best feeling was entertained by the people of England respecting this colony and he hoped that they would never pass any measure, which would in any way destroy that feeling! He knew no measure, more calculated to have that effect than the present one, and it would have for worse consequences than ten times the amount of the duty. He was willing to impose Custom House regulations of any extent to prevent any abuse but, he would most earnestly implore the House not to fling into the face of the Imperial Government so ungracious an act.¹⁹ If the old system was open to objections, let new restrictions be improved, as stringent as possible, but let not Canada place herself in such a false position before the people of England, as she would do by taxing the provisions used by Her Majesty's troops. He had never approached any question with such painful feelings as this, and he implored the House to pause before it was committed to this course.²⁰ He would never consent to the address.²¹

MR. ROBINSON said he should support the Address, he did not see what right the British Government had to complain of a system being adopted here, to which it was subject at home.²² ((He)) would ask if in England the contractors would be allowed to import the cattle for the troops duty free. He was not afraid to bring the matter before the Imperial Parliament. He was convinced that if it was properly represented to the Home Government they would never refuse it, and if he could have been satisfied that that had been already done, he would have voted for the amendment of the member for Russell.²³

MR. CHRISTIE, if we do not exempt the stores for the supply of the troops from duty, Canada would become a bye word among all the British colonies. He then said that the Committee had exceeded their duty, in not reporting the address in exact conformity to the resolutions.²⁴

MR. MORIN, in explanation said, that the Committee would not feel gratified in saying at the present moment, that Canada could supply the demand for cattle, but they feel quite safe in asserting that under a protection she would shortly be able to do so.²⁵

MR. INSP. GEN. CAYLEY.--The whole gist of the question lies in that. It had been said on the previous day, that there was no necessity for the exemption from duty of cattle intended for the commissariat, because a sufficient quantity could be obtained at a fair price in Canada.--As to what (sic) the hon. member for Simcoe had said that in England the Contractors had to pay duty on the stores imported, the House would at once see the difference of the circumstances of the two countries. In England the duty imposed went into the very revenue which paid the soldiers, so that it

came to the same thing whether duty was by the contractors, and the Government paid so much more, or that they were allowed to import free of duty, and then pay less; but in Canada the duty that was imposed, went into the revenue of Canada, out of which not one copper was paid towards the support of the troops.²⁶ The Member for the Fourth Riding of York had applied for the correspondence which had taken place between the Administration and the Home Government on this question, and he had supported the Address because he said that he believed proper representations from the Provincial Government had not accompanied the Bill; and yet he wished to ... came down. The conduct of the Member for Drummond he could well account for; coming events were said to cast their shadows before them, and as the rats were also said to leave a falling house, from the fact of that gentleman having been wavering for some time, and now having gone over altogether to the other side,²⁷ ((with)) the other rats ... a Ministerial tumble out was at hand.²⁸

Mr. Ermatinger, on rising was greeted with cries of "question."²⁹

MR. ERMATINGER complained of the attempt on the part of the Ministers, to stifle (sic) discussion, by crowding a large quantity of business into a small space of time, which caused great inconvenience, and had done so in the present case. There were many members who had voted the day before, and did not know what they had voted about.³⁰

Name, name.³¹

MR. ERMATINGER would name himself for one, (laughter) when he named himself he had done so only in a joke, for he had not voted at all (hear, and increased laughter.) And the reason for not voting was, that he did not understand the subject. He saw so many gentlemen flocking to the door, that he was compelled to follow their example and fall in with the troop. Now for the question. (Cries of hear, hear and laughter.) Was a man to be laughed at he would ask, because he did not understand what he did not know. (Continued laughter.) He could not for the life of him understand some of them. (Hear.) His determination had been the day before, to have voted for the amendment, but he had been so staggered by the convincing arguments of the hon. member before him from Montreal, that he would vote for the proposition of the Inspector General. He thought that the country wanted protection, yet he was in favor of granting this boon; he would never participate in such paltry legislation as that proposed by the hon. member for Drummond, for he had some respect for consequences, although the hon. member for Drummond had not.³²

MR. BOULTON would be as much opposed to increase the price of necessities for the army as the member for Montreal, but he could not see how that would be, when the Province could furnish them as cheap or cheaper, than any other British Colony. If the Province could not do this, he would be as ready as any one to remove the protection; but the Province has already received a benefit from that protection, as might be noticed in the case of manufactures and he was unwilling to remove it. Are we he would ask to offer a premium to the Commissariat to procure American Cattle in preference to Canadian? Until it was shewn that Canada could not

produce sufficient, he did not think that they were called upon to pass a measure which would give a preference to the American drovers over the Canadians.³³

MR. J. S. MACDONALD of Glengarry would rather give the sum of £2,500 to support the troops than that the principle of pretection should be done away with. He considered that unless protection was afforded to the Canadian farmer, it would stifle every attempt on their part to produce fat cattle. If this address had been altogether supported by members on this side of the House, he knew what would be the remark, but it had been supported by many members on the other side of the House, and among them the member for Simcoe, there could be no doubt of his loyalty.³⁴

MR. HALE.--If he had left the House on a former occasion, he had done so in good company, but he did not do so with any intention of evading voting. When the clock was at half-past one, he left for dinner; and it was not he believed, in consonance with Parliamentary usage, that a report of a Committee of the whole imposing duties, should be received at the same sitting.³⁵

MR. CHRISTIE testified to the correctness of what the hon. member for Sherbrooke had said, and stated that that gentleman had expressed his surprise at dinner, when informed that the resolutions had been reported and adopted.³⁶

MR. BALDWIN repeated what he had said on the previous day, as to his willingness to meet the views of the Home Goverement (sic) and his dissatisfaction at the absence of any despatch to accompany the bill when it was sent home, explaining the views of the Provincial Parliament. As there had not been such a despatch however, and as the House was then in ignorance ((of)) what course the Government might have pursued, if there had been one, he had no other course left to him than to vote for the address. The hon. member for Montreal has expressed his readiness to concur in any measure which would prevent frauds on the frontier, but that gentleman had appeared to have forgotten, that last Session, he was one of the most earnest in pointing out the impossibility of restrictions on so extended a frontier.³⁷ He desired to do nothing ungracious to the Imperial Government, he wished to act in the same spirit of liberality towards her, as she had ever shewn towards this country.³⁸ He repeated that if, on the cause being properly represented to the Home Government, and they found it impossible to assent to the views of the Provincial Government, he should be most willing to meet the views entertained in the ministerial proposition; and that not only on the ground of preventing the Customs bill of last Session from being disallowed altogether; but also for the reason that he felt a desire to meet them in a broad and liberal spirit.³⁹

MR. MOFFATT, if the hon. member is sincerely desirous of writing to the Imperial Government in a liberal spirit, he (Mr. M.) would like to know what answer that hon. gentleman would give to the concluding part

of the despatch from Home. "I could have wished to find in this act, the usual exemption from duty of supplies required for the forces, and your Lordship will, therefore, use your influence to obtain this alteration, which I deem indispensable." Let the hon. gentleman shew that liberality he speaks of now, without troubling the mother country further, to enter into any discussion on the matter. The hon. gentleman, however, was not sincere, he felt sure that he could not be sincere in what he had said about the despatch,⁴⁰ if he was so, ... why did he not vote against the Address, when he found that in the despatch from the Colonial Secretary, it was stated that this was a departure from a principle hitherto acknowledged in all British colonies, and that its alteration was indispensable to the Bill being assented to by the Queen.⁴¹ If that hon. gentleman had been in the ministry, he must have known that he could not have found any good reason to have furnished the Home Government for the bill being passed without the usual exemption from duty of Commissariat supplies. As to the Custom house regulations, he knew that they would be difficult, but yet they would not be impossible.⁴² He believed that if this course was persisted in, the Imperial Parliament would pass an Act prohibiting any Colony to impose such duties. He again expressed the bitter repugnance which he felt towards this measure, and which could only be equalled by the feelings with which he had looked upon the tax on emigrants.⁴³

DR. LATERRIERE doubted whether the protection afforded by the Home Govern't was not more for their own interests than those of Canada. The business of this House however was to protect the Canadian farmer.⁴⁴

MR. AT. GEN. DRAPER.--It is curious to see how hon. gentlemen arrive at a conclusion by different routes. He (Mr. Draper) could not help remarking that circumstance on the present occasion, and the observation is particularly well grounded when it is applied to the new addition, revised and corrected, though without very many additions of the speech of the hon. member for the Fourth Riding. He has come to his conclusion by a means of arguing that has, as little as can be possibly imagined, to do with the real question at issue. He (Mr. D.) would like to know whether that gentleman approves of the address, for he supposed that he must take the responsibility of it in common with the other gentlemen who vote for it. Is he willing, for instance, to stand by the declaration that this will not be ungracious, though it is admitted that it is a deviation from acknowledged principle, that it was called for by the peculiar position of the colony as compared with Her Majesty's other possessions, having a line of frontier of some 1500 miles in extent, bordering on and separated from a foreign power in many places by only an imaginary line. He supposed that the meaning of that sentence was, that Canada differs from all Her Majesty's other colonies in being conterminous through all its length with the United States. Now, without leaving out of a view the great lakes, and the river which separates us from the States, and certainly prevents that part of the Province from being called conterminous, can it be said of the remaining part of the Province that this is the only colony separated from the United States by a long line of frontier? No, such is

not the case, and the House well knows it. There is another part of the address which shews in a striking manner, the extraordinary ingenuity of the gentleman who framed it. It is brought in by way of addition to the resolutions; we learn from it, "that though for a short period, the British Government may be called on to pay a sum, unimportant when compared with the permanent advantages which may be expected from the bill, yet that this House feels confident that the supply from the country can meet the demand." Here you have the premises, he will now come to the conclusion, and he must say, that he would be very sorry to write home a despatch containing only this address as the cogent reasons for not complying with the demand.⁴⁵

MR. BALDWIN, it is a great pity that you did not the draft an address yourself.⁴⁶

MR. AT. GEN. DRAPER continued, perhaps so, but in the meantime, he would remind that hon. gentleman opposite that this address contains the very powerful reasons and arguments, which he is prepared to adopt as his own, and and which he expects, will convince the Government of the mother country how extremely wrong it was in them to desire us to alter our bill. This is the able document (holding it arms length and shaking it) which is to carry conviction into Downing Street, that they ought to withdraw their opposition to the customs bill of last session. This is the address--this the document, that that hon. gentleman (pointing to Mr. Baldwin) would sent (sic) home as the production of the united wisdom of the Commons of Canada. He should not only be sorry to send home such a document, but he would be ashamed to do it. Let us for a moment take up the following bright sentiment and analyse it⁴⁷, if that be possible, only begging the hon. member for Drummond to make it intelligible if I fail.⁴⁸ "For a short period the British Government may be called on to pay a sum, unimportant when compared with the permanent advantages which may be expected from the bill." What does this mean? The sum of money to be levied is confessedly paltry. If the mother country pay little, then this country will receive little, well then, is it not ungracious to insist on that which we say is unimportant? We shall, no doubt, be told that though it is true the pecuniary⁴⁹ advantages are unimportant yet that the permanent benefits⁵⁰ are great. Then he should have thought that the just way of putting the case would have been exactly the converse of that adopted for the address. If there are to be some great permanent advantages to be derived to the province from the law, it is more reasonable that we should pay the trifling expense necessary to obtain it; or that we should call upon the mother country to pay it?⁵¹ (Laughter and cheers.)⁵² Perhaps this is not what the words mean, but it seemed to him that was the just interpretation to be put upon them. You say to the mother country--"we expect some great permanent advantages from this measure, which can be had at a trifling cost. The advantage is truly all our own, no matter for that, please put your hands into your pockets and pay for it." (Laughter.) That is our logic. That is a specimen of the United Wisdom of the Canadian Parliament, which the hon. gentleman from the Fourth Riding desires to send home, to shew the people of England what adepts we

are in the science of legislation.⁵³ (Great laughter.)⁵⁴ He did not know what the hon. gentleman opposite may think of it, but he should be sorry that their opinion of our statemanship (sic) or scholarship should rest on such an address as this. Their answer will be, he was sure-- "gentlemen, you wish to purchase a great benefit, pray then see if you cannot pay for it yourselves." But you contend that there are great advantages to be obtained from this law, and, in order to secure these advantages, you are going to risk the loss of the law altogether. (Laughter.)⁵⁵ Most sound and logical conclusion. (Laughter.)⁵⁶ With regard to that part of the argument, which relates to the ability of the colony to wait the demand for cattle; he would admit the fact, but then just in proportion as the fact is true, are all these precautions unnecessary. But you say the law is not ungracious--why he could conceive nothing more ungracious, than to ask the mother country to pay an unimportant sum to purchase for us a great permanent advantage. If it were only for that senseless declaration, he would vote against the address, while he must say besides contains the greatest number of absurdities, in the smallest space, of any paper he ever happened to meet with. The hon. member for the Fourth Riding did not desire to do anything ungracious; oh, no! He only votes for this because he is sure no despatch has been sent, and because he thinks it necessary to send this to supply the deficiency.--Well, he would give him his despatch, and let him keep the credit of it--both for sentiment and style. Will any one, however, believe in the sincerity of the hon. gentleman? Will not his motives be readily understood by the House. He thought that he understood them; he wants you on this side of the House not to wait until the despatches do come down, and till you see what has actually been written.--Oh, no!--that would not suit his purpose. He wants you to commit yourself to this despatch before you have seen the other--and if you wish to do so, he could tell them that they would not find any thing like this--(holding up the despatch.)⁵⁷ He would promise that they would find none of this nonsense in it. If you prefer it, let this document go home, in order to show how well we understand our interests. For his own part, he would thank the hon. member for it. He was obliged to him for shewing what would be the style of composition that would be adopted by any administration of which he was the head; only let it be recollected that we are not responsible for it. Let it be clearly understood that it is the hon. gentleman and his friends who send this home as the very best argument that the Canadian Legislature can discover to support the pretensions contained in this bill.⁵⁸

MR. WATTS thought the conduct of the Attorney General, in attempting to stifle the expression of the unanimous feeling of the House, was most illiberal. He (Mr. Watts) would, now that that hon. gentleman had concluded, endeavour to point out the real nature of the case. Previous to 1842 the Americans and Canadians traded with one another on equal terms, and the Canadians were able to send their cattle into the American markets without payment of duty. In that year, however, the Americans imposed a duty on our cattle imported into their country, and, in consequence, the Canadian market being limited and the supply large, the people here were compelled

to take any price which they could obtain in markets glutted by the produce of the United States, which came in without restriction.--Petition after petition was presented to Parliament which eventually produced a Customs Bill in accordance with their prayers. In that law, however, there was an exempting clause but the Administration were unable to devise any plan by which its object could be effected without destroying the effects of the whole bill. Then petitions poured in again all complaining that the protection enjoyed by the Commissariat inflicted injury on the farmer. The act of last session was the result, and he asked if it had not given general satisfaction. Had there been any complaint from the country? No! but a despatch had been received from Home, telling the House that, it appeared to Her Majesty that the law was an ungracious one, and a departure from general principles. He allowed that it was a departure from recognized principles, and we admit that it may appear ungracious, but still we pray her Majesty to allow it, on account of the many advantages to be derived from it. Did the hon. Insp'r G'l say that this despatch was written after a despatch from the Colonial Government urging that the wishes of the Colonists should be acceded (sic) to? Did he come down with the whole of the correspondence on the subject, so as to enable the House to see whether there was any real danger of coming into collision with the Home Government, in order that the address might be thrown out if there were? As he (Mr. Watts) had told the hon. gentleman on a former occasion, if he could show any good reasons why the House should not prosecute this address, he (Mr. Watts) would have dropped it at once. At present, however, he pressed the motion, because he, in common with the majority in the House, believed that the despatch from the Colonial Secretary was written in the dark, and that no reply had been sent in answer to it. Now, what was the course taken by the Administration? (Hear, hear.) Instead of coming down prepared to carry out the wishes of the people of Canada, and to correct any little irregularity or roughness in the language of the address, they threw their whole weight into the scale against those who desired to give expression to those wishes. Instead of being a Ministry supported by the farmers of Canada, they were using their utmost endeavours to suppress the opinions of those farmers. He was not wedded to the address; his object was not to oppose the Government, and if the Inspector General had desired to have the address that he might correct it, he (Mr. Watts) would have been most happy to have introduced his amendments, which would, no doubt, have been carried by a large majority. Instead of lending their assistance to send home a proper and intelligible address, they opposed all attempts to prepare one. He repeated, if hon. gentlemen had suggested any method by which the House could get out of the scrape, and avoid any appearance of being ungracious, he would have sanctioned their plan. If they had come down and said what was the amount of the loss sustained by the Commissariat, the House might have passed a vote for the amount. His object was not to embarrass the Imperial Government, (Ironical cries of hear, hear,) but to prevent the United States from glutting our markets. If this law continued, he would tell the House--and let him deny it who could--that emigrants, instead of staying here where they had only one

market, would go into the United States where they could have two. He was an Englishman, and felt like one, but his first loyalty was to his fire side, and he felt it his duty to advocate the interests of Canada above all others. He did not mean to say that the address was couched in the best style, but it was the principle for which he contended, not the miserable way in which it was worded.⁵⁹

MR. MCCONNELL, to shew the importance of the measure, would mention that a farm of 100 acres worth £100 on this side of the lines, was worth £200 four miles on the other, though land was no better there than here; and this he imputed to the protection enjoyed by the American farmer.⁶⁰

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The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to unanimously, and

Ordered, Accordingly.

Returns to
Addresses.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General.

L'Original
Road.

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 22nd instant; praying that His Excellency would be pleased to lay before them, "The Chart of the Road leading from L'Original into Bytown, referred to in the Report of the Board of Works, together with the Reports of Survey by Messieurs West and Keefer, and accompanying Documents."

(For the said Return, see Appendix V. V.)

And also.

Imports and
Exports.

Certain Statements respecting the Imports and Exports of the Province of Canada.

(For the said Statements, see Appendix G. G.)

W. Rees.

The Honourable Mr. Robinson, from the Select Committee to which was referred the Petition of William Rees, late Medical Superintendent of the Provincial Lunatic Asylum at Toronto, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have carefully examined the case of the Petitioner, so far as the Documents transmitted to your Honourable House from the Executive Council Office and the Vouchers submitted to them, (all which are appended to this Report,) have permitted them to do, and they find that Dr. Rees, after having made in successive years repeated representations to the Government, and having urged the absolute necessity of providing suitable

means for the accommodation and treatment of the unfortunate Insane, was called upon and directed by certain Commissioners (appointed by the Government, in accordance with a Resolution of the House of Assembly of Upper Canada, predicated upon the Statute of 2nd Victoria, chap. 2, which authorized the erection of a temporary Lunatic Asylum until a permanent one should be erected,) to find such a building as would be suitable for the reception of patients.

That Dr. Rees having reported upon the fitness of the old Gaol of Toronto, then unoccupied, it was fitted up for the purpose, under his direction and superintendence, and continues to be the Lunatic Asylum for Upper Canada to this date.

That Dr. Rees took charge of the said Asylum on the 30th September, 1840, and remained in office as Medical Superintendent until the 21st October, 1845.

That during the whole period of his term of office, he seems to have devoted his undivided and exclusive attention to the duties of his office, having from the moment of his appointment relinquished a respectable and increasing general practice, and in his professional management he appears, by the accompanying Documents, not only to have merited, but to have obtained the high approbation of the Commissioners, and that also (with but one exception) of all the members of his profession, who visited the institution under his charge, and of those who in their capacity of commentators on the subject of insanity and Lunatic Asylums, have paid a high compliment to his system of treatment in the

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Asylum at Toronto, as proved by its statistics when compared with those of similar Institutions in other Countries.

That the Statute under which his appointment was made, stipulated to the Medical Superintendent a Salary of £300 per annum, with suitable residence and allowances; but it appears to your Committee, that from the period of his assuming his duties up to July, 1844, he received only a stipend of £180 a year, without residence or allowances, and that at the last named date the Government added £50 per annum to the former amount.

That he had always been given to understand by the Commissioners, consisting of the Vice-Chancellor and other gentlemen of high respectability, that he would receive the allowance stipulated by the Statute; that he reasonably expected it, and that he rendered his services in accordance with such expectation, as appears by the recommendations appended to his Petition, dated January, 1845, and which in effect is a guarantee on the part of the said Commissioners for the said full allowance.

In consideration of all these circumstances, and that it is mainly due to the persevering representations, that Upper Canada can boast of having a Lunatic Asylum established in that portion of Canada, and that the accommodation and successful cure of many cases of insanity have been already provided, when without his exertions and talents such would not have been the case, Your Committee would therefore strongly recommend

to your Honourable House to address His Excellency the Governor General, to direct the payment to the Petitioner of the full amount of the salary of £300 per annum, as stipulated by the aforesaid Act, with an additional sum for residence and allowances from the period of his appointment on the 30th day of September, 1840, to the 21st October, 1845, deducting therefrom the sums annually received by him; but that should it appear to His Excellency the Governor General, that authority is wanting under the Statute, by which his appointment was given to the Petitioner, for the payment of the first sum or the salary due to him, that then, in that case, His Excellency may be pleased to direct such sum to be included in the Estimates to be laid before Parliament during its present Session.

With reference to the second portion of the Petition, to wit, a claim for arrearages due from the friends of paying patients, although it appears that the Government authorized the Commissioners to make such regulations in respect to the Institution, and its patients whose circumstances warranted such a charge to be made, and although the Board of Commissioners did authorize the Warden to collect entire sums of money from the friends of this class of patients, whose circumstances warranted such a charge being made, and although a sum of £26 only was paid on this account to the Petitioner, and although a large amount still remains unpaid to the Warden of the Institution, and a large proportion thereof is still due the Petitioner, nevertheless your Committee cannot regard this claim as against the Province; and however much the Commissioners may have erred in not enforcing due payment from such parties, or obtaining payment in advance, or demanding security for the liquidation of these debts to the Institution, that the Petitioner's proportion might have been forthcoming to him, they are, however, compelled to recommend to your Honourable House, to address His Excellency the Governor General, to direct the Commissioners to discharge that claim out of the funds derived from private or pay patients.

Totally different is their opinion with regard to that portion of the Petition praying compensation for injuries received from the unfortunate and irresponsible class of our fellow beings under his charge, while discharging his duties; this your Committee apprehend can no more be denied to him (the Petitioner) than to a soldier wounded in the service of his country.

In the case of the Petitioner, notwithstanding the personal misunderstanding between the Board of Commissioners and himself, on the occurrence of these accidents, a most strict and careful examination and investigation was gone into by the Commissioners, as proved by the minutes of their proceedings; they were satisfied, as your Committee are, by the medical certificates produced by the Petitioner, of the serious effects that might arise to the Petitioner therefrom, and unanimously concurred in the opinion that he was entitled to compensation at the hands of the Government, as certified to their Report appended to his Petition; and this is fully borne out also by the accompanying strong recommendation of the Lord Bishop of the Diocese, the Mayor and Corporation of the City of Toronto, and other Heads of Departments in that City. They cannot too

strongly urge the requital of valuable service in meritorious public officers, and a compensation to them for injuries which they may receive incidental to their employment, and while they fully admit that the Petitioner has clearly shown that in this respect he is entitled to compensation, they (your Committee) are at a loss in what way or extent to recommend compensation; however, as it is not shewn to them that the injuries he has received may affect him for life, or disable him from pursuing his accustomed avocations, they cannot take upon themselves to recommend him for a pension, but they urge that a grant at least, not exceeding one hundred pounds, should be made in his favor, and that His Excellency should also be addressed by your Honourable House, to direct that amount to be included in the Estimates to be laid before Parliament.

Orders of
the Day.

Mr. Duggan moved, seconded by Mr. Smith of Frontenac, that the remaining Orders of the Day be postponed until Monday next.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

On motion of Mr. Hale, seconded by Mr. Smith of Wentworth,

Barton Con-
cession Bill.

Resolved, That the parties interested in the Bill, intituled, "An Act to convey a part of the Concession Line between the Third and Fourth

Concessions of the Township of Barton, in the Gore District, to Robert Jarvis Hamilton," be exempted from the payment of the sum of twenty pounds, required by the Rules of this House upon Private Bills.

Clergy
Reserves.

Ordered, That the Return to the Address of this House to His Excellency the Governor General, for Copy of the Circular from the Office of

the Commissioner of Crown Lands to the Local Agents, relating to the suspension of the sales of Clergy Reserve Lands, be printed for the use of the Members of this House.

St. Lawrence
Canals.

Resolved, That the Return to an Address of this House to His Excellency the Governor General, for the amount expended on the different cuts

of the St. Lawrence Canals, and the amount of Tolls received thereon, be referred to a Select Committee composed of Mr. Merritt, the Honourable Mr. Cayley, the Honourable Mr. Morin, the Honourable Mr. Robinson, and Mr. Macdonald of Kingston, to report thereon with all convenient speed; with power to send for persons, papers and records.

On motion of Mr. Stewart of Bytown, seconded by Mr. Jessup,

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Bytown In-
corporation
Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein," be now taken into consideration.

And the said amendments were read, and are as followeth:--

Press 4, Line 6.--Leave out "June" and insert "July".

" 4, In the margin.--Leave out "June" and insert "July."

" 9, Line 39.--Leave out from "Her" to "Department," both inclusive, in Press 10, Line 4, and insert: "All Property real or personal belonging to Her Majesty, Her Heirs or Successors, or vested in or held by any public body, officer, person or party in trust for the uses or service of Her Majesty, Her Heirs or Successors, whether any such real Estate be held in fee simple or for any less Estate during the continuance of such Estate; provided always that if any real Estate reserved for any Military or Canal purposes, or for the service of the Ordnance Department, be leased to any private person, the property so leased shall be liable to be assessed and taxed in the same manner that any other real Estate situated in the said Town of Bytown may be assessed and taxed, but the taxes and assessments in any such case shall be payable by the tenant and not by any other person or party."

" 19, " 19.--Leave out from "Council" to "notwithstanding" in Press 20, Lines 4 and 5, both inclusive, and insert Clauses A and B.

CLAUSE A.

"And be it enacted, that nothing in this Act contained shall be construed to authorize the said Town Council to use or dispose of any public street, or part of a street, laid out by any officers or officer of Her Majesty, or any land belonging to Her Majesty, or held in Trust for Her Majesty, for any purposes other than those of a public street, unless such disposal or change of use of such street or part of a street be authorized by the Governor of this Province, by and with the consent of the Executive Council thereof, or by the Commander of the Forces in this Province, or unless such disposal or change of use be consented to by the Principal Officers of Her Majesty's Ordnance; nor shall any thing in this Act contained be construed to authorize the said Town Council to take or enter upon any Lands or real Estate belonging to Her Majesty, Her Heirs and Successors, or vested in or held in trust by any public body, officer, person or party in trust, for the uses or service of Her Majesty, Her Heirs or Successors, whether held in fee simple or for any less Estate during the continuance of such Estate, unless the entering upon or taking of such land be consented to by the Governor in Council, or by the Commander

of the Forces in this Province."

CLAUSE B.

"And whereas the Officers of the Ordnance Department in charge of the Ordnance property in Bytown, have afforded ample street accommodation in lieu of the road which would otherwise be required between Concession C and D across Lots A and B in said Concessions, and it is expedient in order to preserve uniformity in the streets of the said Town, that the said Concession Road be closed up and not used as a street: Be it therefore enacted, that it shall not be lawful for the said Town Council or for any other person or persons to remove any buildings, or to disturb or alter the Survey and allocation of Lots situate on the said Concession Line, or intersected thereby, any law or usage to the contrary notwithstanding."

Press 20 Line 21.--After "spirit," insert the following Clause C:

CLAUSE C.

"And be it enacted, that nothing herein contained shall affect, or be construed to affect in any manner or way whatsoever, the rights of Her Majesty, Her Heirs and Successors, or of any person or persons, or of any bodies politic, corporate, or collegiate, such only excepted as are herein mentioned."

Resolved, That this House doth disagree with the Legislative Council in the said amendments.

Resolved, That a Select Committee of three Members, composed of Mr. Stewart of Bytown, Mr. Macdonald of Kingston, and Mr. Sherwood of Brockville, be appointed to draw up Reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the

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amendments made by their Honours to the Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein."

On motion of the Honourable Mr. Cayley, seconded by the Honourable Mr. Attorney General Smith,

Supply. Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to consider of a Supply to be granted to Her Majesty.

Ordered, That the Estimates of the Supply required for the year 1846, and the Message of His Excellency the Governor General relating to the said Estimates, be referred to the said Committee.

Ordered, That the Message of His Excellency, of the 19th instant, on the subject of the Commission of Indemnity for losses during the Rebellion in Lower Canada, and the Fourth and Fifth Reports of the said Commission, be referred to the said Committee.

On motion of Mr. Leslie, seconded by the Honourable Mr. LaFontaine,
Montreal
Councillors
and Assessors
Election Bill. Ordered, That the amendments made by the Legis-
 lative Council to the Bill, intituled, "An
 Act to amend an Act therein mentioned, and to
 make better provision for the Election of
 Councillors and Assessors of and for the City
 of Montreal," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were again read, and are as followeth:--

Press 1 Line 37.--After "places" insert "in each ward."

" 1 " 41.--After "places" insert "in each ward."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Leslie do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Christie, seconded by Mr. Leslie,

Address, Com-
mutation of
Tenure of
Lands, (L.C.)

Resolved, That an humble Address be presented to
 His Excellency the Governor General, repre-
 senting that the attention of this House
 having been drawn early in the present
 Session to the operation of the Imperial

Act (3 Geo. 4. c. 119) authorizing the commutation of the Tenure of Lands held à titre de cens or en roture of the Crown, in Lower Canada, into that of free and common Soccage, the subject was referred to a Select Committee of the House, and an inquiry instituted by it thereupon; the report from which is to the effect, that the trouble, delay, and expense usually incurred in effecting commutations under the said Act, are an impediment to commutation,--frustrative of the benevolent intentions of the Imperial Parliament in the passing of the said Act, and tantamount almost to a prohibition; and soliciting His Excellency's attention to the aforesaid matter, in the humble expectation that some other process of Commutation than that hitherto practised, consistent with the provisions of the said Act in this behalf and purpose thereof, and avoiding the numerous references to the various Crown Officers heretofore in such cases consulted, and the delay and expenses incidental thereto, may be devised and adopted, in order that Her Majesty's Subjects in this Province holding Lands en roture of the Crown, and desirous of commuting the same, may with facility obtain the benefits intended by the said Act, and on application to the Executive Government, for a commutation of the Tenure of any such lands into that of free and common Soccage, be enabled to accomplish it in a summary, expeditious and unexpensive manner.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Christie, seconded by Mr. Chabot,

Resolved, That an humble Address be presented to His Excellency the Governor General, representing to him the lively interest this House takes in the procuring and preservation of all such Archives, Papers, and Documents connected with the first settlements and colonization of North America, and particularly those illustrative of the early history of Canada, as are to be had, and its sense of the importance in this respect of certain Manuscript Documents relating thereto which are now in progress of being copied at Albany in the State of New York, at the instance and by direction of the Literary and Historical Society of Quebec, (several volumes whereof have been laid on the table of this House during the present Session,) and the necessity under which the Society will be, of abandoning the further prosecution of this work, unless a further provision for the purpose is made; and praying that His Excellency will graciously be pleased to direct such measures, and with as little delay as convenient, to be taken, as to him shall seem necessary to prevent an interruption of the said work in hand at Albany, and to ensure its prosecution to a successful issue.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Merritt, seconded by Mr. Macdonald of Cornwall,

Trade. Ordered, That the Order of the Day for the House in Committee on certain Resolutions to be proposed on the subject of restrictions on the Trade of this Province, be postponed until Monday next; and that it be then the first Order of the Day.

J. B. Page, et al. Mr. Sherwood of Brockville, from the Committee of the whole House on the Report of the Select Committee to which was referred the Petition of Jean Baptiste Pagé and others, inhabitants of the Parish of l'Ancienne Lorette, and other references, reported, according to Order, the Resolution of the said Committee; which Resolution was again read at the Clerk's table, and agreed to by the House; and is as followeth:--

Resolved, That it is expedient to amend the Act passed in the eighth year of Her Majesty's Reign, intituled, "An Act to amend a certain Act therein mentioned, relative to the Turnpike Roads near Quebec," by repealing the Schedule of Tolls established by the said Act, and by substituting the following:--

For every four-wheel Carriage or Vehicle drawn by one horse or beast,--Sixpence.

For each additional horse or beast,--Twopence.

For every Gig, Calash, Cab, or two-wheel Omnibus drawn by one horse or other beast,--Fivepence.

For each additional horse or beast,--Twopence.

For every Spring Cart, Cart, or other two-wheel Vehicle other than those above mentioned, drawn by one horse or other beast,--Threepence.

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Quebec Turn-
pike Roads.

For each additional horse or beast,--
Twopence.

For every Sleigh, Traine, Dray, Berline, or other winter Vehicle drawn by one horse or other beast,--Twopence.

For every additional horse or other beast,--One penny.

For every Horse, Mare, Gelding, Ass, or Mule, with a rider,--
Twopence.

For every Horse, Mare, Gelding, Ass, Mule, Ox, Cow, and head of other Neat Cattle, not drawing,--One penny.

For every score of Sheep, Lambs, Hogs, or Swine,--Fivepence.

Bill.

Ordered, That Mr. Chauveau have leave to bring in a Bill to amend a certain Act, intituled,

"An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near Quebec."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time on Monday next.

Ordered, That the said Order be then the second Order of the Day; and that the Rule of this House relating to the Printing and Translation of Bills be suspended as to the present Bill.

Vacancies in
Corporations
Bill, (L.C.)

Mr. Armstrong, from the Committee of the whole House on the Bill to define and extend the powers of the Court of Queen's Bench in Lower Canada, relative to usurpations and vacancies occurring

in Corporations, and for other purposes therein mentioned, reported, according to Order, the amendments made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Cobourg In-
corporation
Bill.

Mr. Macdonell of Dundas, from the Committee of the whole House on the Bill to alter and amend the Act of Incorporation of the Town of Cobourg, reported, according to Order, the amendments

made by the Committee to the said Bill; which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill, as amended, be Engrossed.

Toronto Incor-
poration Act
Bill.

The Order of the Day for the House in Committee on the Bill to amend the Act of Incorporation of the City of Toronto, being read;

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Armstrong reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Public Lands
Bill.

*The Order of the Day for the second reading of the Bill to extend the provisions of the 13th Section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands," and to amend the said Act in other respects, and further to provide for the final settlement of Land claims, being read:*⁶¹

MR. D. MACDONELL of Stormont, said that he would defer the second reading of his Public Lands Sale Bill, as he understood it was the intention of the hon. member for Ottawa to proceed in his bill. He would therefore move that it be discharged from the orders of the day, and be placed as the first order on Wednesday.⁶²

MR. AT. GEN. SMITH must oppose the latter part of the motion. It would be impossible to say whether the bill of his hon. friend, the Commissioner of Crown Lands, could be brought on either on Tuesday or Wednesday, but it would certainly be on one of those days, and the hon. gentleman could then propose, in the shape of amendments, all the objects proposed in his bill.⁶³

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Ordered, That the said Bill be read a second time on Wednesday next, and that it be then the first Order of the Day.

The Order of the Day for the second reading of the Bill to amend the law relative to the administration of Justice in Lower Canada, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Laurin took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received on Monday next.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment:

Sheriffs
Poundage
Bill.

"An Act to regulate the Poundage to be received by Sheriffs on Executions, and for other purposes therein mentioned."

Witnesses At-
tendance Bill.

"An Act to authorize and enforce the attendance of Witnesses from any part of this Province before the Courts of Superior Criminal Jurisdiction."

Commissioners
of Enquiry
Bill.

An Act to empower Commissioners for inquiring into matters connected with the Public Business to take evidence on oath."

Also,

LEGISLATIVE COUNCIL,
Friday, 29th May, 1846.

New Bruns-
wick Boundary
Line.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have agreed to their Address to Her Most Gracious

Majesty, respecting the Boundary Line between this Province and the Province of New Brunswick, by severally filling up the blanks with "Legislative Council and the."

LEGISLATIVE COUNCIL,
Friday, 29th May, 1846.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have passed the accompanying Address to His Excellency the Governor General, respecting the Boundary Line between this Province and the Province of New Brunswick, to which they desire the concurrence of the Legislative Assembly.

To His Excellency Lieutenant General the Right Honourable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, Knight Commander of the Most Honourable Military Order of the Bath, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, Commander of Her Majesty's Forces in British North America, &c. &c. &c.

May it please Your Excellency,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and of Canada, in Provincial Parliament assembled, beg leave to approach Your Excellency with our respectful request, that you will be pleased to transmit our joint Address to Her Most Gracious Majesty, respecting the Boundary Line between this and the Province of New Bruns-

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wick, in such a way as your Excellency may deem fit, in order that the same may be laid at the foot of the Throne.

R. E. CARON,
Speaker.

Legislative Council,
Friday, 29th May, 1846.

And also,

The Legislative Council have passed the following Bills, with amendments, to which they desire the concurrence of the Assembly:--

Hochelaga
Division Bill.

"An Act to divide the Municipalities of Hochelaga and Three Rivers, respectively, into distinct Municipalities, and further to provide for the support of Schools and the management of local affairs therein,"

Quebec Water
Bill.

"An Act for supplying the City of Quebec and parts adjacent thereto with Water."

Quebec Gas
Bill.

"An Act for Lighting the City of Quebec with Gas."

And then he withdrew.

Orders post-
poned.

Ordered, That the remaining Orders of the Day be postponed until Monday next.

Then, on motion of the Honourable Mr. LaFontaine, seconded by Mr. DeWitt, The House adjourned until Monday next at Eleven o'clock, A.M.

APPENDIX, 30 MAY 1846.

((QUESTION RE: BOARD OF WORKS BILL.))⁶⁴

MR. BALDWIN would wish to know when the Board of Works Bill was to be brought on and he would here remark that he had been misunderstood the other day in what he had said when urging on the House the hardship of the present system of tolls. Instead of having said, as he was reported to have done, "that the farmers in his Riding commonly went to market at noon," what he had stated was that many of the farmers of his riding, in order to avoid the oppressive operation of the present system, and which the sdhedule (sic) as it stood proposed to continue, were in the habit of leaving their houses so as to reach the first toll-gate at a little before 12 o'clock at night and to pass it a little after that hour, and then endeavoured to return in time to get through ... the same gate a little before 12 o'clock on the following night; thus having to travel by night instead of by day, besides being inconveniently limited as to time in transacting their business in the city.⁶⁵

FOOTNOTES - 30 MAY 1846

1. The debate on the motion was reported by: MIRROR, 30 May 1846, PILOT, 4, 6 June 1846, and BROCKVILLE RECORDER, 11 June 1846, in accounts which are identical; and MONTREAL GAZETTE, 2, 3 June 1846.
2. MIRROR, 30 May 1846.
3. MONTREAL GAZETTE, 2 June 1846.
4. MIRROR, 30 May 1846.
5. IBID.
6. MONTREAL GAZETTE, 2 June 1846.
7. IBID.
8. MIRROR, 30 May 1846.
9. IBID.
10. MONTREAL GAZETTE, 2 June 1846.
11. IBID.
12. MIRROR, 30 May 1846.
13. IBID.
14. IBID.
15. IBID.
16. MONTREAL GAZETTE, 2 June 1846.
17. MIRROR, 30 May 1846.
18. MONTREAL GAZETTE, 2 June 1846.
19. MIRROR, 30 May 1846.
20. MONTREAL GAZETTE, 2 June 1846.
21. MIRROR, 30 May 1846.
22. MONTREAL GAZETTE, 2 June 1846.
23. MIRROR, 30 May 1846.
24. IBID.
25. IBID.
26. IBID.
27. MONTREAL GAZETTE, 2 June 1846. The ellipsis represents an illegable line.
28. MIRROR, 30 May 1846.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. MONTREAL GAZETTE, 2 June 1846.
39. MIRROR, 30 May 1846.
40. IBID.
41. MONTREAL GAZETTE, 2 June 1846.
42. MIRROR, 30 May 1846.
43. MONTREAL GAZETTE, 2 June 1846.
44. MIRROR, 30 May 1846.

45. IBID.
46. IBID.
47. IBID.
48. MONTREAL GAZETTE, 3 June 1846.
49. MIRROR, 30 May 1846.
50. MONTREAL GAZETTE, 3 June 1846.
51. MIRROR, 30 May 1846.
52. MONTREAL GAZETTE, 3 June 1846.
53. MIRROR, 30 May 1846.
54. MONTREAL GAZETTE, 3 June 1846.
55. MIRROR, 30 May 1846.
56. MONTREAL GAZETTE, 3 June 1846.
57. MIRROR, 30 May 1846. The MONTREAL GAZETTE, 3 June 1846 added:
"with an air of the most sovereign contempt".
58. MIRROR, 30 May 1846.
59. IBID.
60. IBID.
61. The debate on this motion was reported by: MIRROR, 30 May 1846,
misdated 29 May 1846 and PILOT, 4 June 1846, in identical accounts.
62. MIRROR, 30 May 1846, misdated 29 May 1846.
63. IBID.
64. This matter was reported by: MIRROR, 30 May 1846, misdated 29 May
1846, and PILOT, 4 June 1846, in identical accounts.
65. MIRROR, 30 May 1846, misdated 29 May 1846. No answer to Baldwin's
question was reported.

MONDAY, 1 JUNE 1846.

11 O'Clock, A.M.

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Petitions laid
on the table.

THE following Petitions were severally brought
up and laid on the table:--

By Mr. Dickson,--The Petition of the Municipal
Council of the District of Niagara, (relating to G. M'Micking.)

By Mr. Monro,--The Petition of Thomas Champion and others.

Cobourg In-
corporation
Bill.

An Engrossed Bill to alter and amend the Act
of Incorporation of the Town of Cobourg, was read
for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hale do carry the said Bill to the Legislative
Council, and desire their concurrence.

Vacancies in
Corporations
Bill, (L. C.)

An Engrossed Bill to define and extend the
power of the Courts of Queen's Bench in Lower
Canada, relative to usurpations and vacancies
occurring in Corporations, and for other purposes
therein mentioned, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Drummond do carry the said Bill to the Legislative
Council, and desire their concurrence.

Magistrates
Appointment
Bill.

An Engrossed Bill from the Legislative
Council, intituled, "An Act to provide for the
appointment of Magistrates for the more remote
parts of this Province," was, according to Order,
read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Draper do carry back
the said Bill to the Legislative Council, and acquaint their
Honours that this House hath passed the same, without any amendment.

Registrars
Acts Bill.

An Engrossed Bill from the Legislative Council,
intituled, "An Act to make provision for confirm-
ing certain Acts of Registrars in that part of this
Province formerly Upper Canada," was, according to Order, read for the
third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Draper do carry
back the said Bill to the Legislative Council, and acquaint their
Honours that this House hath passed the same, without any amendment.

Petitions read.

Pursuant to the Order of the Day, the follow-
ing Petitions were read:--

Of Mrs. Charlotte Frémont, widow of the late Jasper Brewer, Esquire;

praying that the Pension of her late husband may be continued to her for one or two years.

Of the Municipal Council of the District of Simcoe; praying that no Act be passed to abolish the duty on Foreign Produce imported into the Province.

Of the Municipal Council of the District of Simcoe; praying that the proposed Assessment Bill may be passed with certain amendments.

Petitions
referred:--

Mrs. Brewer.

Ordered, That the Petition of Mrs. Charlotte Frémont, widow of the late Jasper Brewer, Esquire, be referred to the Standing Committee on Contingencies.

Simcoe Municipal Council.

Ordered, That the Petition of the Municipal Council of the District of Simcoe, relating to the Assessment Bill, be referred to the Select Committee to which was referred the Bill to regulate Assessments, and the appointment of Collectors and Assessors in Upper Canada.

Bytown Incorporation Bill.

Mr. Stewart of Bytown, from the Select Committee appointed to draw up Reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the amendments made by their Honours to the Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein," reported, that the Committee had prepared the said Reasons; which said Reasons were again read at the Clerk's table and agreed to by the House, and are as followeth:--

1st. Because, inserting "July" for "June" is immaterial, as the Bill provides that an Election can take place at any time, if not on the day mentioned in the Bill.

2nd. Because, the Bill provides exemption from Assessment of what is in reality Her Majesty's Property, and that the exception is Real Estate held by the Ordinance for speculation; that it would be unfair towards other Proprietors, they would be exempted from contributing towards the improvement of the Town.

3rd. Because, it is unprecedented to confer corporate powers upon any Town, and deprive them of the entire use and control of the Streets, that such power is now by Law vested in the District Council, and cannot be exercised by the Ordinance; that in Bytown two very wide streets were purposely laid out for Market places and other public uses, and on which Market places, &c., were erected, (although recently renewed by the Ordinance;) that no other space is reserved or set apart for any such purposes; and because the Bill provides that the direction of any street now laid out, or hereafter to be laid out on the Ordinance property shall

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not be altered, and that the Town Council shall not enter upon or take these Lands for any purpose.

4th. Because, the Bill provides for legalizing the shutting up and leasing by the Ordinance, the Concession line, in almost the same words as the amendment.

5th. Because, the last amendment is ambiguous and indefinite, and

is not at all necessary.

Resolved, That a Conference be desired with the Honourable the Legislative Council, for the purpose of communicating to them the Reasons which induced this House not to concur in the amendments made by their Honours to the Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein."

Ordered, That Mr. Stewart of Bytown do go to the Legislative Council, and desire the said Conference.

A. M'Leod. Mr. Dickson, from the Select Committee to which was referred the Petition of Alexander M'Leod of Stamford, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Report. Your Committee have examined the various matters connected with the case of the Petitioner, and upon the subject of which, an Address during the last Session of Parliament was forwarded through the then Governor General to Her Majesty, and upon a re-examination of his case, they deem it just and expedient to address Her Majesty a second time on behalf of the said Alexander M'Leod, the peculiarity of whose case they deem a sufficient justification for the course hereby recommended to Your Honourable House; and in accordance with the power vested in your Committee, they have prepared an Address to Her Majesty, praying her again to take into consideration the case of the said Alexander M'Leod, and to grant him that relief to which your Committee consider him entitled.

The said Address is as followeth:--

To the Queen's Most Excellent Majesty,
MOST GRACIOUS SOVEREIGN.

Address to the Queen. We, Your Majesty's dutiful and loyal Subjects, the Legislative Assembly of the Province of Canada, beg leave to approach Your Majesty with a renewed expression of our devoted attachment to Your Majesty's Person and Government, and humbly to represent to Your Majesty that our earnest solicitude for the preservation of the inherent rights of Your Majesty's Subjects, induces us again to address Your Majesty in reference to the claim which we consider Alexander M'Leod has upon Your Majesty's Government. We are fully aware that it is the desire of Your Majesty's Government to protect to the fullest extent, the liberties of Your Majesty's Subjects, and when a well founded and legitimate claim is established, to grant indemnity for any pecuniary loss by them sustained, and more particularly when such loss results from a course rendered imperative by the fulfilment of those obligations which they owe to Your Majesty as their Sovereign.

The said Alexander M'Leod having experienced the greatest possible private injuries and personal privations by his detention and imprisonment by the Government of the United States, we conceive that he is

entitled to remuneration at the hands of Your Majesty's Government, and although we understand that Your Majesty's Government discharged the amount necessary for retaining the services of eminent Counsel and the other expenses connected with the defence of the said Alexander M'Leod, yet we are at a loss to imagine how that can be considered a compensation to the individual for the manifold private injuries he has sustained, it being a course of proceeding rendered necessary in vindicating the right of one of Your Majesty's Subjects, and the honour and dignity of Your Majesty's Crown.

The said Alexander M'Leod became a victim in the hands of a foreign power, apprehended, imprisoned, arraigned, tried, and acquitted, and has no individual claim on that foreign power for remuneration, which power, if responsible for that act of aggression upon one of Your Majesty's Subjects, must be held accountable on a demand made by and through Your Majesty's Government.

Under the circumstances herein most respectfully represented to Your Majesty, we earnestly solicit Your Majesty's serious attention, and Your Majesty may rest assured that the Legislature of Canada must be deeply sensible of the justice of this claim, otherwise they would not deem it prudent or expedient to bring it a second time under the consideration of Your Majesty's Government.

Ordered, That the said Address be Engrossed.

Resolved, That the said Address be communicated by Message to the Legislative Council, requesting the concurrence of their Honours thereto.

Ordered, That Mr. Dickson do carry the said Message to the Legislative Council.

Customs Act.

Mr. Watts, from the Select Committee to which was recommitteed the draught of an Address to Her Majesty, on the subject of the non-exemption from Duty under the Customs Act of last Session, of Cattle and Live Stock introduced from the United States, for the use of Her Majesty's Troops, reported to this House on the thirtieth of May last, with an Instruction to the said Committee to report the said Address in strict accordance with the Resolution adopted in Committee of the whole House, reported to the House the draught of the said Address, which was again read at the Clerk's table, and is as followeth:--

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

Address to the Queen.

We, Your Majesty's most dutiful and loyal Subjects, the Legislative Assembly of Canada, in Provincial Parliament assembled, most humbly beg leave to represent--That during the last Session of the Provincial Parliament, a Customs Bill was enacted, imposing, among others, certain Duties on Live Stock imported from the United States of America, without containing any clause exempting cattle introduced for the use of Your Majesty's Troops.

Majesty's Troops.

That this enactment was made after a long and serious debate, and finally carried by a unanimous vote of the Representatives of the People, the exemption in question having been in full operation during the two preceding years, and having been found to render the Law wholly inoperative; although Your Majesty's Provincial Government were aware of the fact, and took every possible precaution to prevent frauds.

That although it may be true that this was a departure from "an acknowledged principle observed by every Possession of the Crown," yet it was not intended to be ungracious: It was called for by the peculiar position of this Colony, as compared with Your Majesty's other Possessions, having a line of frontier some 1,500 miles in extent, bordering on and separated from a foreign power, in many parts by an imaginary line.

That it will not give rise to the slightest inconvenience on Your Majesty's Commissariat, inasmuch as the supply from the Colony itself exceeds the demand, in every market of the Province.

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That the Act in question intended to encourage the raising of Cattle in the Country, was loudly demanded by the Agriculturists of this Province as a Counter-Protection to the duties levied on Canadian Cattle entering the United States, and that its enactment has given general satisfaction throughout the Province.

That this House assures Your Majesty, that any proceeding to interfere with this Act, would cause general and extreme discontent throughout every County in this Province.

That while the Colonists are anxiously awaiting the result of the advice which has been tendered to Your Majesty, to withdraw the protection hitherto enjoyed by them in their Commercial transactions with the Mother Country, this further step would compel your Canadian Subjects to trade with the Americans in the respective markets of the two countries, at a disadvantage of 20 per cent.

That this fact could not fail to produce among the Colonists generally, an impression that the Imperial Government had placed the Americans, a Foreign people, on a more favorable footing than themselves, against the express will of the Local Legislature; an impression, however, which this House fervently prays that the wisdom of Your Majesty's Councils may prevent, by a due regard to the wishes of the loyal inhabitants of the Colony, as expressed through their Representatives in Parliament.

That the Representatives of Your Majesty's Canadian subjects are therefore induced to approach Your Majesty with an humble prayer, that Your Majesty may not concur in any advice which may be tendered to Your Majesty, to sanction any interference with the Canadian Customs Act passed during the last Session of the Provincial Parliament, in any way beyond the amendments made at the suggestion of Your Majesty's Government during the present Session.¹

MR. WATTS moved that the said Address be not concurred in, but that the amendment alluded to above be adopted.

MR. WATTS explained that the address contained the same ideas as the previous, only clothed in different language.²

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On motion of Mr. Watts, seconded by the Honourable Mr. Morin,

Resolved, That this House do not concur with the Committee in the said Address, but that the following be adopted in lieu thereof:--

To the Queen's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's most dutiful and loyal Subjects, the Legislative Assembly of Canada, in Provincial Parliament assembled, most humbly beg leave to represent, that we have had under consideration the Despatch of Your Majesty's Secretary of State for the Colonies, on the subject of the Customs Bill passed during the last Session of the Provincial Parliament, imposing, among others, certain Duties on Live Stock and provisions imported from the United States of America, without any clause exempting them when introduced for the use of Your Majesty's troops, which omission is represented in the said Despatch as a departure from an acknowledged principle observed by every Possession of the Crown.

We respectfully assure Your Majesty, that this enactment was adopted after a long and serious deliberation, by a unanimous vote of this House, without any intention to do that which might be considered ungracious, or prejudicial to Your Majesty's service. It was called for, by the fact of this Province, with its immense extent of frontier line, affording greater facilities for smuggling than any other; and secondly, from it having been proved, that during the two preceding years, frauds to a very great extent had been practised on the Revenue by Contractors making an improper use of certificates obtained from the Commissariat for the admission into this Province of provisions for the Public service, thereby rendering ineffectual the law passed for the protection of the Canadian farmers.

We would also humbly submit to Your Majesty, that in consequence of the American Government having placed high prohibitory duties on every article of ours entering into their country, from Canada, the Agriculturists of Canada feel strongly that they are entitled to similar protection against those of the United States, for their own products;--and this circumstance merely, induced the Legislature to impose in some cases by the Act in question, a higher duty than a due regard to other considerations might have warranted. The said Act has given general satisfaction throughout the Province, and any interference with it, we humbly represent, would cause dissatisfaction in the Counties generally.

We humbly conceive that the Act will not entail any important expense or lasting inconvenience to Your Majesty's Government, as the Colony will very soon, if indeed it cannot now, furnish the necessary supplies, if the present protection is continued; and should it prove otherwise, Your Majesty will find your faithful Subjects in Canada prepared to make good to Your Majesty the amount of Expenditure, when the facts have been fully ascertained from the experience of at least

one year under the present arrangements. The Representatives of Your Majesty's Canadian Subjects are therefore induced to approach Your Majesty with an humble prayer, that Your Majesty may not concur in any advice which may be tendered to Your Majesty to sanction any interference with the said Canadian Customs Act, beyond the amendments made at the suggestion of Your Majesty's Provincial Government during the present Session.

MR. AT. GEN. DRAPER said, that as far as he could judge from the general tenor of it, and the principle involved, particularly after the unanimous vote of last session, he saw nothing objectionable in it. He was led to this feeling, the more particularly as it was to be an experiment for twelve months, and if not successful, Her Majesty's Government was to be reimbursed. He wished, however, that the question might be postponed until the afternoon, that time might be given for the consideration of the Address, and making such alterations in it as were necessary.³

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On motion of the Honourable Mr. Moffatt, seconded by Mr. Petrie,
Ordered, That the words "by a unanimous vote of this House" be struck out of the said Address.

Ordered, That after the word "We," in the third paragraph, the following be inserted: "disclaim the intention of augmenting the Provincial Revenue by Imposts levied on Provisions imported for the use of Your Majesty's Forces, and"

Ordered, That the words "at least one" in the fourth paragraph of the said Address, be struck out, and the words "the ensuing" inserted in lieu thereof:

The question being then put upon the said Address as amended, it was agreed to by the House.

On motion of Mr. Watts, seconded by the Honourable Mr. Morin,

Ordered, That the said Address be Engrossed.

Resolved, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency that this House hath voted an Address to Her Majesty, on the subject of the non-exemption from Duty under the Customs Act of last Session, of Cattle and Live Stock introduced from the United States, for the use of Her Majesty's troops; and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be Engrossed.

Ordered, That the said Address to Her Majesty and to His Excellency the Governor General, be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

Contingencies.

Mr. DeWitt, from the Standing Committee on Contingencies, presented to the House the Fourth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

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Report.

On the Petition of Mrs. Catherine M'Lennan, widow of Hugh M'Lennan, late Door Keeper of your Honourable House; praying for a Pension or other consideration for the services of her late husband.

After mature consideration of the matter contained in this Petition, your Committee cannot recommend a Pension to the Petitioner; but they find that she is entitled to the sum of £10 as six months allowance on the usual annual vote, up to the date of her husband's decease, and as three months intervened between that period and the appointment of his successor, your Committee think it will comport with justice to allow her the additional sum of £15, making together the sum of £25-- as a final settlement in full of all claims in respect to the services of Petitioner's late husband.

The Petition of Mrs. Julia Bell, widow of AEneas Bell, Chief Messenger to the House of Assembly of Upper Canada; prays for compensation as Housekeeper of the Parliament Buildings at Toronto for 10 months.

Your Committee, upon consideration of the subject matter of this Petition, recommend that the sum of twelve pounds ten shillings be paid her as a final settlement of all claims for past services of herself and husband.

The Petition of William Dixon, Messenger of your Honourable House; prays for a retiring allowance in consideration of his age, his length of service, and incapacity to attend his duties during the sitting of the House.

Your Committee consider the case of the Petitioner worthy the consideration of your Honourable House, and being guided by the allowance made to similar servants of the House of Assembly of Lower Canada, in the Session of 1841, respectfully recommend that a retired allowance of £18 per annum be paid out of the Contingencies, to the Petitioner, from the end of the present Session.

The Petition of André Leroux Cardinal, Chief Messenger of your Honourable House; prays for an increase of Salary.

Your Committee find that in the year 1841 £100 was fixed as the Salary of the Petitioner, and a further allowance of £25 to enable him to keep a boy for the service of the office during the recess. Upon representation made to your Committee of the inadequency of the amount heretofore allowed him, and being entrusted throughout the year with the charge of the House, they recommend that the Salary of the Petitioner be increased to £160, commencing with the current year including the allowance for a boy.

The Petition of Michael M'Carthy, prays for the appointment to the office of Night Watch to the Parliament Buildings during the recess.

Your Committee having enquired into the necessity of such an

appointment, consider it will be highly conducive to the protection and safe keeping of the building, and that the Petitioner is a person in whom confidence can be placed, and would therefore recommend him to your Honourable House, to fill that office, at an allowance of five shillings per night.

The Petition of James Voller and John Kay, Messengers of your Honourable House; prays for a retired allowance.

Your Committee cannot recommend the prayer of the Petitioners, as they are quite able to perform their respective duties.

The Petition of Robert Defries, Post Office Messenger, for an alteration in the mode of his present remuneration.

It appears that he now receives twelve shillings and sixpence currency, per day, during the Session, the Petitioner living at Toronto, and the Sessions being unequal in time, your Committee recommend that a Sessional allowance of sixty pounds be made to him, commencing with this present Session.

The Petition of William Winder and others, Officers and Clerks of your Honourable House; prays that their case may be considered, and an increase be made in their Salaries.

Your Committee, after due consideration, cannot at the present recommend the prayer of this Petition in respect to all the Petitioners, but your Committee considering that the present incumbent, (one of the Petitioners) filling the office of Second Office Clerk, ought to be placed, at least, upon the same footing in respect to remuneration, as the Second Clerk of Committees, those two Officers having previously to the last Session been paid the same amount, would therefore respectfully recommend that the Salary of Mr. Thomas Vaux be £250 from the commencement of the current year.

The Petition of Joseph Bouchette and others, employed in the Civil Service of the Provincial Government, prays for an allowance in consideration of the various removals of the Seat of Government.

Your Committee cannot entertain the prayer of this Petition, the Petitioners belonging to Departments not connected with the Legislative Assembly. Your Committee therefore consider that they cannot be paid out of the Contingencies of this House.

Your Committee beg leave respectfully to recommend the usual yearly allowance of one hundred pounds to the Clerk of your Honourable House, for house rent; also, the allowance of sixty pounds to the Assistant Clerk, for the like purpose.

Mr. William P. Patrick having been in the last recess called upon to act as Deputy Clerk, your Committee in conformity with the resolution of the House last Session, for similar services, recommend that the sum of fifty pounds be paid to Mr. Patrick; the above not to form a precedent for the future.

By representation made to your Committee of the amount paid for extra work in the Office during the recess of Parliament, to bring up the work of the previous Session, they have taken into consideration the propriety of recommending that an addition be made to the present number of permanent Officers.

Your Committee beg leave to append to this Report, the Letter addressed to them upon this subject by the Clerk, recommending the appointment of certain persons at present in the capacity of extra Clerks. This recommendation having received the sanction of the Honourable the Speaker, your Committee beg leave to suggest that Mr. Henry Hartney, Mr. King Barton, Mr. William H. LeMoine, and Mr. William Spink, be appointed as Junior Clerks in the Office, at a Salary of £150 each, commencing from the present Session.

In reference to the work to be done in the Office during the recess, in arranging the Documents and Copying, and attending to the Printing of the Journals, &c., of the previous Session.

Your Committee would recite the recommendation contained in the Report on the Officers and Departments of the House during the first Session of the last Parliament, 1841. "It is to be understood that all the permanent Officers of the House, (including the Clerk and Clerk Assistant,) are to complete and finish the whole work of the year." This understanding your Committee would recommend to be enforced, and that the labour of the recess may, as near as possible, be so divided that a proportionate share be allotted to each, in order that the Journals and other Documents be placed in the hands of Members as soon as possible after each Session; and further, that no payment for extra work during the recess be allowed.

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Report.

CLERK'S OFFICE,
LEGISLATIVE ASSEMBLY,
Saturday, 23rd May, 1846.

SIR,

I beg leave respectfully to intimate to the Committee on the Contingencies of the House, that there are now in my Offices, employed as extra Writers during the Sessions, four very deserving steady young persons, who are anxious to be placed on the permanent Establishment of the House, namely, Mr. Hartney, Mr. Barton, Mr. LeMoine, and Mr. Spink, the two first have been in the Upper Canada Assembly, and in the United Assembly for several years past, Mr. LeMoine in the present Assembly since the Union, and Mr. Spink for two Sessions; this gentleman has proved himself a very useful Officer, and although not so long in the service of the House as the others, yet I think from his capacity, he would be an acquisition to my department; I therefore, respectfully and earnestly recommend the above named gentleman to be placed on the permanent list of officers.

I have the honor to be, Sir,
Your obedient servant,
W. B. LINDSAY,
Clerk Assembly.

JACOB DEWITT, Esquire,
Chairman of the Standing
Committee on Contingencies.

Ordered, That the said Report be committed to a Committee of the whole House to-morrow.

On motion of Mr. Christie, seconded by Mr. DeWitt,

New Brunswick Boundary Line.

Resolved, That this House do concur in the Address of the Honourable the Legislative Council to His Excellency, the Governor General, requesting His Excellency to transmit the joint

Address to Her Majesty, respecting the Boundary Line between this Province and the Province of New Brunswick, in such a way as His Excellency may deem fit, in order that the same may be laid at the foot of the Throne;-- that the blank therein be filled up with the words "Legislative Assembly," and that the said Address be signed by Mr. Speaker on behalf of this House.

Resolved, That a Message be sent to the Honourable the Legislative Council, acquainting their Honours that this House hath agreed to the Address to His Excellency, the Governor General, requesting His Excellency to transmit the joint Address to Her Majesty, respecting the Boundary Line between this Province and the Province of New Brunswick, in such a way as His Excellency may deem fit, in order that it may be laid at the foot of the Throne.

Ordered, That Mr. Christie do carry the said Message to the Legislative Council.

On motion of Mr. Leslie, seconded by the Honourable Mr. Morin,

Hochelaga Division Bill.

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act to divide the Municipalities of Hochelaga and of Three Rivers respectively into distinct Municipalities, and further to provide for the support of Schools and the management of local affairs therein," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 13.--Leave out from "Banlieue" to "day" in line 18, both inclusive, and insert "Municipality of Three Rivers shall cease and determine, and that the extent of Territory now forming the same shall thenceforward form two separate and distinct Municipalities, one of which shall consist of and comprise the Town or Borough of Three Rivers, and shall be, and be called the Municipality of the Town of Three Rivers, and the other of which shall consist of and comprise the remainder of the said extent of Territory, and shall be, and be called the Municipality of the Banlieue of Three Rivers."

Press 2, Line 25.--Leave out from "remainder" to "it" in line 27, both inclusive, and insert "Town of Three Rivers."

" " " 33.--Leave out "Jointly."

" " " 34.--Leave out from "each" to "same," both inclusive,

in the same line, and insert "the Municipality of the Town of Three Rivers."

Press 3, Line 16.--Leave out from "shall" to "same" in line 17, both inclusive, and insert "as well as all Real and Immoveable Property then belonging to the said last mentioned Municipality, shall belong to the Municipality of the Town of Three Rivers."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Leslie do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Chabot, seconded by Mr. Chauveau,

Quebec Gas
Bill.

Ordered, That the amendment made by the Legislative Council to the Bill intituled, "An Act for Lighting the City of Quebec with Gas," be now

taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 3, Line 30.--After "annum," insert, "Provided always, that before the issuing of any such Debentures or Corporation Bonds, the said Corporation shall have enacted and ordained a By-Law, specifying the principal Streets, Lanes and Public Places within the limits of the City which are to be supplied with Gas, and shall, after duly advertising for Tenders, have entered into a Contract with the lowest bidder, giving security to their satisfaction for the performance of the work, and for keeping the same in good repair for three years, at a sum not exceeding thirty thousand pounds, including the necessary Real

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Property and materials."

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Chabot do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of Mr. Chabot, seconded by Mr. Chauveau.

Quebec Water
Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act for supplying the City of Quebec, and parts adjacent

thereto with Water," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 8, Line 15.--After "annum," insert "Provided always, that before the issuing of any such Debentures or Corporation Bonds, the said Corporation shall have enacted and ordained a By-Law, specifying the principal Streets, Lanes, and Public Places within the limits of the City which are to be supplied with Water, and shall, after duly advertising for Tenders, have entered into a Contract with the lowest bidder, giving security to their satisfaction for the performance of the work, and for keeping the same in good repair for three years, at a sum not exceeding fifty thousand pounds, including the necessary Real Property and materials."

" 12, " 1.--After "notwithstanding," insert clause A, as follows:--

CLAUSE A.

"And be it enacted, that it shall and may be lawful for the said Corporation, and they are hereby required from time to time, as occasion may require, to appoint a fit and proper person to be the Superintendent or Engineer for the management of the said Water Works and of any Gas Works under the control of the said Corporation, and to prescribe and regulate the duties of the said Office, and at their pleasure to remove any such person from the said Office and appoint another in his place, and the said Corporation shall take such security for the due execution of the said Office as they shall think proper, and shall and may grant and allow to the said Officer such Salary, allowance, or other compensation for his services as they may think fit: Provided always, that such Superintendent or Engineer shall account to the said Corporation quarterly, or oftener if required."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Chabot do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. Baldwin, seconded by Mr. Price,

Address,
Exemption
from Duties of
Stores, &c. for
use of Troops.

Resolved, That an humble Address be presented to His Excellency the Governor General, requesting that His Excellency will be graciously pleased to cause to be laid before this House, Copies of all the Correspondence had between

the Provincial and Imperial Governments, during the last Session of the Provincial Parliament, or at any time subsequent to the same, on the subject of the exemption from Duties of Stores and Provisions, Goods, Wares, and Merchandize imported or supplied for the use of Her Majesty's Land and Sea Forces in this Province, and the important bearing of the same on the Agricultural Interests of this Province.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Printed. Ordered, That the Petition of Messieurs Gilmour and Company, and others, Merchants, and other Citizens of the City of Montreal, be printed for the use of the Members of this House.

Toronto Incorporation Act Bill. Mr. Armstrong, from the Committee of the whole House on the Bill to amend the Act of Incorporation of the City of Toronto, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Administration of Justice Bill, (L.C.). Mr. Laurin, from the Committee of the whole House on the Bill relative to the administration of Justice in Lower Canada, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Mr. Chauveau moved, seconded by Mr. Chabot, that the Third clause of the said Bill be struck out.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Baldwin, Berthelot, Cauchon, Chabot, Chauveau, Christie, DeBleury, Desaulniers, DeWitt, Franchère, Guillet, LaFontaine, Macdonell of STORMONT, Méthot, Morin, and Rousseau.--(16.)

NAYS.

Boulton, Bouthillier, Cayley, Colville, Cummings, Daly, Dickson, Attorney General Draper, Drummond, Duggan, Foster, Gowan, Hale, Jessup, Lantier, Laterrière, Laurin, Leslie, M'Connell, Moffatt, Papineau, Petrie, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Taché, Solicitor General Taschereau, and Viger.--(31.)

So it passed in the negative.

Ordered, That the said Bill as amended be Engrossed.

Trade. The Order of the Day for the House in Committee

on certain Resolutions to be proposed on the subject of restrictions on the Trade of this Province, being read;

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Trade.

The House accordingly resolved itself into the said Committee.

Mr. Christie took the Chair of the Committee⁴

MR. MERRITT brought up his resolutions on Trade. The resolutions submitted for the consideration of the House had been printed; they embraced four separate and distinct propositions. The introduction of the products of Canada into the markets of Britain free from duty; the repeal of all Imperial Acts affecting the trade or revenue of this Province; to negotiate with the Government of the United States, to admit the productions of Canada into their markets upon the same terms as their products are admitted into Britain and Canada; and to open the River St. Lawrence to all nations.--His hon. friend from Durham proposed certain resolutions in amendment; and his hon. friend from Simcoe has procured the passage of the address, embracing a part of both, therefore, it was not his intention to have moved in the matter again this Session; but having been pressed by many members within and intelligent individuals out of the House, he had felt it his duty to submit the remaining two; and that their effect may be well understood he would read the address in which, if they met the sanction of the committee, they might be embodied.

"We, your Majesty's dutiful and loyal subjects, the Commons of Canada, in Provincial Parliament assembled, humbly beg leave to represent that great apprehension exists in the minds of a large portion of the Inhabitants of this Province, on account of the proposed change (now under the consideration of the Imperial Parliament) in the Colonial Policy of the Empire.

"Your faithful commons, most respectfully entreat, that in the event of the protection to the products of Canada, in the markets of the Mother Country, being withdrawn, and the Trade, of this Colony placed on the same footing as that of Foreign countries, Your Majesty will be graciously pleased to recommend to the Imperial Parliament, the repeal of all Imperial Statutes which impose restrictions on the Trade, or affect the revenue of Canada, leaving the imposition of such duties wholly under the control of the Provincial Legislature.

"Also, that your Majesty will be pleased to cause the River St. Lawrence, from the Ocean to Lake Ontario, to be opened to the vessels of all nations, subject to no greater restrictions than now exist in passing through the Welland Canal, around the Falls of Niagara, so as to enable this communication successfully to compete for the trade of the Western States of America which will otherwise find its way to the Atlantic Ocean, through the Erie Canal, by the Hudson River.--Railroads or other routes to counteract the effect of the drawback law already passed the House of Representatives of the United States, and enable the Provincial Government to create a fund from tolls, for the repayment of the expenditure incurred, for the purpose of uniting those inland waters."

The first resolution, the repeal of all Imperial Acts, imposing a discriminating duty, merely asserts a principle, which common sense sanctions. If the productions of Canada are to receive no advantage over the productions of foreign countries, when admitted into Britain, the manufactures of Britain are not entitled to any advantage over the manufactures of foreign countries when admitted into Canada; this principle was recommended in the despatch of Mr. Gladstone, of the 3rd March, and it is evidently the intention of the British Government to abandon all discriminative duties. But it must be remembered that the proposed address is predicated on the assumption that all protection on the products of Canada are withdrawn in Britain; in the event of this protection being continued, it will be nugatory, therefore, no difference of opinion can be anticipated on that resolution. The 2nd resolution admitting vessels of all nations to the free navigation of the St. Lawrence may not be so well understood. Those who take a hasty or superficial view of the subject, may apprehend that opening the navigation of the St. Lawrence, the shipping interest of Great Britain and Canada may be injured--quite the contrary, it repeals no existing navigation law, admits of no coasting in Canada, and confers no advantage on American vessels which does not at this moment exist, with one exception--passing by the Port of Montreal, from the interior to Quebec, and thence to sea; by refusing this you retain an advantage to our shipping interest--the effect is merely to force their products through their canals and deprive us of the toll and trade which their increased transit would create. This is not a new question, it was agitated as early as 1828, when the Welland Canal was first opened; and we must attribute the wisdom of admitting the passage of American vessels through it to the favourable disposition of the Government on (sic) the day, but more especially to the intelligence of Henry John Boulton, Esq., the then Attorney General for U.C. who has on all occasions taken the most liberal and correct views on all commercial measures of any legal gentleman I have yet met with in this Province. What has been the result? Has any injury arisen to Canadian shipping by an American vessel passing from an American port--or an American port to a British (sic) port--or has one solitary complaint been heard? No; but on the contrary we realize two-thirds of our tolls from their products. While on the subject of toll, it has been rumoured that the government intend reducing it to the lowest point, and continuing the revenue on imports to the cost of the construction. I beg to ask the hon. Inspector General if this be true?⁵

MR. INSP. GEN. CAYLEY replied the government had not decided, but it was his opinion the tolls should be reduced to the lowest minimum, merely to keep the canals in repair and pay expenses of lock tenders,⁶ and not to make them a source of Revenue.⁷ This he afterwards corrected to the lowest rate of revenue.⁸

MR. MERRITT:--This is unsound⁹, unjust, impolitic and destructive¹⁰, every person would see if the specific fund system was adopted. I would ask, for what object was (sic) our canals constructed.¹¹ ((They)) were constructed as a source of revenue, and as such they ought to be maintained.¹² ((They were also meant)) to lessen the price of transportation. If that object be not attained, our canals are a failure; if it

is, and the inhabitants on and above Lake Ontario are benefitted by a reduction of one half the cost of transit on all they grow and on all they consume, should they not in justice pay for this advantage--¹³. He was in favor of reducing the tolls, but in such wise as to increase, the trade and thereby the revenue. He contended that the Canals were for the advantage of Upper Canada, because the Upper Canadian farmer sent his wheat so much the cheaper by them, and received the goods he used at a much less price through their means. Therefore the country had a right to expect that a revenue should be derived from those Canals which conveyed such advantages to those who used them, and which had cost the country so much money.¹⁴ For instance, a farmer residing below Montreal, gains no better price for a bushel of wheat, or, no less price for a ton of iron, by means of these canals; therefore it is unjust, he should be equally taxed for their construction, which he would be if they are paid out of a duty on imports, whereas the farmer residing above those canals, either in Canada or the United States, who derive (sic) all the benefits, should pay the whole of this tax, which he does by the imposition of toll. And I maintain any article descending (sic) the main channel of the St. Lawrence, excepting timber in rafts, should be subject to the payment of toll. This is the policy adopted from necessity on every Public Work in America, where their State Governments have revenue from imports. The people are accustomed to the payment of those tolls. It is founded on just principles, and if not adhered to by our Provincial Government, one of the main advantages contemplated by this measure will be lost.--The objections urged against Lord Ashburton's Treaty by the citizens of St. Johns, in giving the Americans the free navigation of that river, may be referred to as a case in point, they were prejudiced, anticipated the most disastrous consequences; but what has the experience of a few years taught them? Their increased shipping and increased trade, is the best answer. Some may think this measure premature, but is there not great danger that while we are resting in false security, the trade of Canada will vanish from this city and the river St. Lawrence. We have an active, intelligent people to contend with; look at the effects of their drawback bill of last year, on our imports, & this year we will feel it in our exports, so soon as the bill of the year comes into operation.--I will mention one instance, to shew the rapid and extraordinary progress the Americans are making in manufacturing--we think it a fair business to make fifty barrels of flour with one run of stone per day, (24 hours.) At Oswego, they make one hundred per day. Such is the improvement made in that branch within three years. Is it not important to make it their interest, to send this flour to Eastport, Portland, and even to Boston, through our canals instead of their own, to invite them to compete in favour of our works against their own, to pay the Provincial Government a revenue for toll in place of the State of New York; reject this measure and you will deprive the Americans of natural advantages our canals possess, and the public from an income from the productions of the United States. It may be well to read a short extract from a letter received a few days since, from a most intelligent firm in Oswego, to show the opinion there entertained of this communication:--

"Our lake regions are the finest and the most productive in the world; and you have the best outlet, that has or can be had from them to the ocean; if your Legislature will perfect those works, impose moderate tolls upon them, and make the St. Lawrence free to this lake empire, my word for it, it will soon be seen that this noble river was not created in vain."

In these sentiments, I fully concur, and therefore move for the adoption of the first resolution.¹⁵

MR. INSP. GEN. CAYLEY said it was not the intention of Government to make the canal tolls any longer a source of revenue, but to reduce them to a rate which will merely defray the expenses which might be incurred in the repairs and management.¹⁶

MR. MERRITT contended that such a system was unjust. The canals were constructed at a very high expense, and should be made to yield a steady revenue, and to liquidate the debt incurred in creating them. He was in favor of decreasing the price of tolls, and thus increasing the amount of the traffic (sic), and consequently the amount of revenue. He wished that the St. Lawrence should be made open for the purposes of navigation to all nations¹⁷, upon the payment of a toll.¹⁸

MR. WILLIAMS considered that the British Government, having guaranteed the payment of the money, was not very likely to agree to any such project as that of taking all the tolls off the Canals. He considered that opening the St. Lawrence to all nations upon the payment of toll, as a question of no importance, because it was not at all probable that the Americans would be foolish enough to go from Oswego to the sea, a long, tedious and round-about navigation, when by the Erie Canal, they could obtain the same object in two days. Therefore no American ships would come that way, and no tolls will be received.¹⁹

MR. MOFFATT was in favor of opening the St. Lawrence to the Americans, provided the measure was based on²⁰ and accompanied by, accurate data.²¹ He thought that tolls might be reduced far lower,²² to such a rate as would pay their expenses, and such an amount of revenue as was found necessary.²³ He then read a despatch to shew that the imperial Government would not object to such a measure, provided it was shewn to be advantageous.²⁴

MR. INSP. GEN. CAYLEY said, he had not intended to convey the impression that it was the intention of the Government to take off all the tolls, but merely to reduce them, so as to increase the amount of trade passing through them.²⁵

EVENING SITTING.

The discussion was resumed.²⁶

MR. INSP. GEN. CAYLEY opened the debate. He hoped the resolutions would not be pressed this Session.²⁷

MR. ROBINSON believed that it would be in our power to obtain a vast portion of the Western trade. It is impossible for the Erie Canal

to have the whole trade, indeed they have now as much as they can do. During the fine summer months when the weather was good in the Gulph cargoes would be taken from the West to Maine and Boston.²⁸

MR. HALL was prepared to vote for the motion now, he thought that we were all as well acquainted with the facts now as we would be next year. Instead of conferring a favour on the Americans by adopting a measure like this, we are conferring a favour on ourselves, as it will enable us to pay the interest on our debt, and also by lessening the tolls, afford the farmers of Canada a cheaper transit to market.²⁹

MR. MERRITT was opposed to any delay, he thought that it would be injurious. In the states there is no delay where their interests are involved. The hon. member for Durham says that there is no use of passing the measure, as he will never carry off a barrel of flour from them. Let us only use the advantages we have,--we have only 60 miles of Canal while they have 366--and we will soon see whether we cannot carry it off. In reference to the calculations which he had made he was proud to refer to them, and he believed that they would have been found to be correct, if the Canal had been finished when it was expected that it would. He would now assert that in 10 years if proper measures were taken the Canal would yield £100,000 per year.³⁰

MR. SMITH of Frontenac, considered that we need only refer back to the tolls of last year to convince us of the necessity of some measure of this sort. Last year 4s. per barrel was paid for freight and tolls while 1s. 6d. would have been amply sufficient. But he would ask if it was not premature at the present time while England was considering the subject and it was not known what measures they might adopt.³¹ ((He was)) in favor also of encouraging the Colonial marine in preference to giving a greater advantage to foreigners. It was better to defer action until next session.³²

MR. SOL. GEN. SHERWOOD, on the first resolution, he thought that there could be but very little difference of opinion. But as to the second, it appeared to him that it deserved more consideration, as it brought the shipping interests of the States and Canada into competition. In the States, although they allow British goods, destined for Canada, to pass through free of duty, yet they protect their shipping interests. If any measure could be proposed by which Canadian vessels should carry on the trade of the States through the St. Lawrence, he would immediately consent to it.³³

MR. PRES. EX. COUN. VIGER was decidedly opposed to admitting American vessels to enter into competition with Canadian.³⁴ "Comment! s'est-il écrié, vous voulez donner la souveraineté aux Américains sur le fleuve Saint-Laurent; on n'a jamais vu pareille chose dans le droit des nations! Vous voulez donner la souveraineté aux Américains qui ont privé la Floride de sa langue, qui a pris le Texas, qui vient de réduire en cendres MATAMORAS!"³⁵ He considered that the man who would allow a foreign power to exercise the sovereignty of its waters would be a traitor to his country.³⁶

MR. WILLIAMS moved that all the words in the original motion after "that," be struck out and the following substituted: That this House views with the most serious apprehension and alarm the commercial policy contemplated by the Imperial Parliament towards this Province.³⁷

MR. SOL. GEN. SHERWOOD said if this resolution in amendment was allowed to precede those of Mr. Merritt,³⁸ ((and if)) the hon. member for Lincoln only intended to move his resolutions in the event of Great Britain allowing the introduction of American produce on the same footing as Canadian.--Thst (sic) being the case, he could not object to them³⁹, he would vote for them. He had no objection that American ships should go from Chicago through the St. Lawrence to the Sea.⁴⁰ He hoped that the hon. member for Durham would not press his amendment, as it would appear to the Imperial Parliament that the House had voted for an abstract principle, and during the same session voted against it.⁴¹

MR. MERRITT would hold every member responsible for neglecting his resolutions by such subterfuge as the amendment of the hon. member for Durham. He said that he had omitted to say that this measure should be contingent on the passing of the measure in Great Britain. In reference to the argument of the venerable President of the Council, that it would give away the sovereignty of our waters, he would asks (sic) if they could have done so more than they have now.⁴²

MR. WILLIAMS considered that the idea of a vessel going from the Lakes through the St. Lawrence to New York, was preposterous; they were not equipped for sea navigation, they would take as much time as to go to England, and their expenses would be ten times as great as by Canal to New York. Those who fancied they would obtain tolls on shipping through this route would be much deceived.⁴³

MR. BALDWIN.--The question before the House is of the greatest importance, and altho' some of the success spoken of by the hon. member for North Lincoln may not follow the adoption of the principle contained in these resolutions, it is obvious, that the more trade we can obtain the better. And if we can by opening the Navigation of the St. Lawrence to the Americans increase the amount of traffic on this route, we will of course derive the benefit of it. Unless we are able successfully to compete with the Americans in the transport of goods to the ocean, the lower part of the Province will certainly suffer materially in consequence of the policy that is now being adopted by the United States. We may as well assume that Sir Robert Peel's measure has been sanctioned by the parliament of Great Britain, for even if it should fail in the Lords this will only be a temporary defeat, for it will be utterly impossible for any Ministry to be formed, who will be able successfully to resist the great mass of popular opinion, and the Lords will consequently be obliged to yield to the voice of the people. We may therefore take it for granted that the policy of the premier of England will be carried into effect, and we ought to make such arrangements as would enable us to meet the change with as little loss as possible to ourselves. He (Mr. B.) did not consider that the objection

made by the hon. member for the borough of Three Rivers against allowing all nations the free navigation of the St. Lawrence, that it would have the effect of yielding the sovereignty of the River to these nations, had any weight; as there were a number of the great Rivers of Europe⁴⁴, he instanced the Elbe and the Rhine⁴⁵, which were navigated freely by different countries, and they only proposed to grant to the Americans, the same privileges that were now allowed them, with respect to the Welland Canal. In the latter case the sovereignty of the Canal was not granted to the Americans, for they could prevent them from passing through the Canal at any time, but we only now for our own advantage allow them to make use of it. All that he (Mr. B.) desired was to attract as much trade as possible through the St. Lawrence, and thereby to make the country as prosperous as possible--for the more you advance the interests of the country, the more contented the people will be. It had been objected to the resolution, requesting the repeal of all imperial duties, that we now impose an additional duty on every article, besides the imperial duty; this may be correct, but we wish to have it in our power to adapt our Customs regulations to the circumstances of the country.⁴⁶ He was afraid that the new policy of England would have a most injurious effect upon Canada, but he trusted that he might be mistaken.⁴⁷ Unquestionably, we have a large debt--a great part of it, in his opinion, was very unwisely incurred--that we must pay.⁴⁸ Therefore it behoved the Country to attempt all means to better our position.⁴⁹ He would press upon all public men in Canada, as their undoubted duty, to inform all parties of the unswerving intention to pay this debt. (Cheers.)⁵⁰ He considered that the amendment was irregular; it should have been put as a prior motion to be a preamble to Mr. Merritt's resolution.⁵¹ He considered it to be the duty of the administration to watch over the interests of the country, and to carry on all necessary correspondence with the Home Government on the effect that any intended change may make in the welfare of Canada, and not to leave the duty to the Boards of Trade or public meetings. The language of the Resolutions of 1841 implies that they are bound to do this, and he (Mr. B.) would hold them responsible for the proper discharge of this important duty.⁵² He considered that the Administration were responsible for not having properly laid before the Imperial Government, the interests of Canada in the new change in policy.⁵³

MR. INSP. GEN. CAYLEY said, that he fully agreed in the last remarks of the hon. gentleman⁵⁴. ((He)) admitted that it was the duty of the Ministry to watch over the interests of the country, and to take the necessary precautions to guard this Province against the effect of any change, and this is the reason why he wished the consider((ation)) of the resolutions postponed as he considered that the hon. member (Mr. Merritt) had anticipated the Ministry, and had brought them forward before it was expedient to do so.⁵⁵ The resolutions of Mr. Merritt were contingent upon all protection being taken from Canada, and were therefore three years in advance of the necessity, for that protection was to continue for three years.⁵⁶ We have three years to prepare for the

change and to make such alterations in our customs and other regulations as may meet the exigencies (sic) of the case.⁵⁷ It was asked of the Home Government to give over to our management the Imperial duties, not for a reduction of duties, but to get rid of the inreference (sic); if those duties were too high, let the Provincial duties be taken off altogether, and then let a surrender of the Imperial Imports be asked. No seagoing vessels could sail downwards to the sea, because the lockage and draught of water were not great enough; it would then be giving the import trade to the vessels of the United States.⁵⁸ It is highly impolitic to pass this resolution now as it is, in his opinion a premature expression of dissatisfaction. But perhaps the hon. mover wished to carry these resolutions through now, as a mere threat, to endeavour to frighten the British Government.⁵⁹

Yes from MR. MERRITT.⁶⁰

MR. INSP. GEN. CAYLEY. Well then, they were acting extremely ungraciously towards the Home Government, for they were asking for more than they can make use ((of)) at the present time.⁶¹ He looked upon these resolutions as being premature, as being an interference with the sovereignty of Great Britain, and as holding out a threat to Great Britain that if she did take off the protection from our produce, we were prepared to cast off her sovereignty. When⁶² at a previous part of the Session⁶³, it was proposed to introduce American grain for exportation, the gentlemen on the other side, who were now so anxious to admit American vessels, opposed it because it did not interfere with the rights and sovereignty of Great Britian (sic), and was for the interests of the Country; but now this question did interfere with her rights and sovereignty, and therefore they were in favor of it. He did consider that the two votes were very inconsistent. Those who were opposed to our having the advantage of a trade in American grain, were perfectly ready not only to give up our trade to the ships of the United States, and not content with that, called upon the mother country to relinquish her dominion over our waters.⁶⁴

MR. CAUCHON opposed Mr. Merritt's resolutions; he considered the question identical with that of the introduction of American grain; it was premature.⁶⁵

MR. SMITH of Frontenac moved that the Committee rise, report progress, and ask leave to sit again.⁶⁶

MR. CHRISTIE.--The Chairman put the motion and declared it carried.⁶⁷

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Christie reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Mr. Speaker having put the question, Shall the Committee have leave to sit again?

It passed in the negative.

Resolved, That the proposed series of Resolutions moved by Mr. Merritt, in Committee of the whole House this day, on the subject of Trade, and also, the proposed series of Resolutions moved by Mr. Williams, in amendment thereto, be referred to a Select Committee composed of Mr. Williams, the Honourable Mr. Cayley, Mr. Merritt, the Honourable Mr. Robinson, and Mr. Leslie, to consider the same, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

LEGISLATIVE COUNCIL,
Monday, 1st June, 1846.

Bytown Incorporation Bill.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative

Council agrees to the Conference desired upon the subject matter of the amendments made by this House to the Bill intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein," and that the Managers on the part of this House are to be the Honourable Messieurs Ferguson and Macaulay, who are to meet the number of Managers on the part of the Legislative Assembly, required by Parliamentary usage, presently in the Committee Room of the Legislative Council.

And also,

LEGISLATIVE COUNCIL,
Monday, 1st June, 1846.

New Brunswick Boundary Line.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that His Excellency, the Governor General, has appointed to-morrow at

twelve o'clock (noon) to be attended with the Addresses of both Houses on the subject of the Boundary between this Province and the Province of New Brunswick, and that in consequence of the advanced state of the Session, the Legislative Council have ordered that such Members of this House as are Members of the Executive Council only, do attend His Excellency at that time on the part of this House.

And then he withdrew.

Bytown Incorporation Bill.

Resolved, That four Managers be appointed to meet the Managers appointed by the Honourable the Legislative Council, at the time and place

appointed for the holding of the Conference desired upon the amendments made by their Honours to the Bill intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein."

Ordered, That Mr. Stewart of Bytown, Mr. Smith of Frontenac, Mr. Hall, and Mr. Dickson, be appointed Managers on the part of this House.

On motion of the Honourable Mr. Attorney General Draper, seconded by Mr. Sherwood of Brockville,

New Bruns-
wick Boundary
Line.

Ordered, That such Members of this House as are of the Honourable the Executive Council of this Province, do attend His Excellency the Governor General, on the part of this House, with the Addresses of both Houses on the subject of the Boundary Line between this Province and the Province of New Brunswick.

Toronto Incor-
poration Act
Bill.

An Engrossed Bill to amend the Act of Incorporation of the City of Toronto, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Boulton do carry the said Bill to the Legislative Council, and desire their concurrence.

Administra-
tion Justice,
(L.C.).

An Engrossed Bill to amend the Law relative to the Administration of Justice in Lower Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

Lake St. Peter.

Mr. Williams, from the Select Committee to which was referred that part of the Report of the Chairman of the Board of Works, which refers to Lake St. Peter, presented to the House, the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix U.U.)

Printed.

Ordered, That the said Report be printed for the use of the Members of this House.

Message from
Governor General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

CATHCART.

Contingencies.

The Governor General informs the Legislative Assembly with reference to their Address dated the 29th ultimo, that he has issued his Warrant in favor of William Burns Lindsay, Esquire, the Clerk of the House, for the sum of four thousand pounds currency, towards refraying the Contingencies of the House.

GOVERNMENT HOUSE,
1st June, 1846.

Return to
Address.

The Honourable Mr. Daly, one of Her Majesty's
Executive Council, laid before the House, by com-
mand of His Excellency the Governor General,

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, dated the 11th of May last; praying that His Excellency will be pleased to lay before them, "Copies of all Petitions, Papers, and Documents, addressed to the Board of Works, from any Inhabitant or Inhabitants of the County of Dundas, relative to a Bridge across the Williamsburg Canal, in front of the Village of Maria Town, as also all Petitions addressed to the Head of the Government, on the same subject."

BOARD OF WORKS,
Montreal, 20th May, 1846.

SIR,

In obedience to the Order of the House of Assembly of the 11th instant, calling for all Petitions, &c., presented to this Department, on the subject of the construction of a Bridge across the Rapide Plat Canal at Maria Town, I have the honour to state, for the information of His Excellency, that the only Document of this nature in possession of the Board, is the accompanying Petition enclosed by A. M'Donell, Esquire, bearing date the 14th March, 1844.

A Petition of similar import was presented from J. Harris and others, on the 16th of April last, but from being informal, it was returned to

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the parties, with advice as to the channel through which it should be transmitted.

I have the honour to be, Sir,
Your very obedient servant,
HAMILTON H. KILLALY.

The Hon. D. DALY,
Provincial Secretary.

MARIA TOWN,
West Williamsburgh, 14th March, 1844.

SIR,

I have the honour to transmit herewith a representation from certain inhabitants of the County of Dundas to the Board of Works, praying that the communication at this place to the St. Lawrence may be kept open, by affording the necessary facilities for crossing the Canal now in progress, which will cut off the communication to the Ferry to Waddington.

The loss and inconvenience of being deprived of the Ferry at this point would be very great, as well as injurious to the collection of the Revenue.

I have the honour to be,
Sir,
Yours most obedient Servant,
ALEXANDER M'DONELL,
Collector of Customs,
Port of Maria Town.

THOMAS A. BEGLEY, Esquire,
Secretary Board of Works.

TO THE HONOURABLE THE BOARD OF WORKS:

The undersigned, inhabitants of the County of Dundas, beg leave to represent to your Honourable Board, that the Canal now about to be made along the front of this County, will cut off the communication with the River St. Lawrence at the village of Maria Town, where a Ferry has been established since the first settlement of the Country to Waddington, in the State of New York. This being the nearest and most convenient part of the River for crossing at all seasons of the year, for several miles on either side, we hope your Honourable Board will take into consideration the loss and inconvenience the inhabitants of this County, and the public in general would sustain from being deprived of so important and necessary a thoroughfare to a place so extensively connected with this part of the Province in its trade commerce, a Port of Entry being placed at this point by the Government for the collection of Duties. We do not wish to dictate to your Honourable Board as to the best manner of keeping up this communication, but would humbly beg you will afford the necessary facilities for crossing the Canal at this Village.

Maria Town,
14th March, 1844.

George Brouse, Thomas Reynolds, M.D.; William Sharts, Minister;
Alex. M'Donell, Collector of Customs; Henry G. Stearns, Merchant;
William Raymond, Jacob Hams, Innkeeper; G. Bartholimew, Ferryman;
George Taylor, Shoemaker; J. Brouse, Merchant; Isaac Rose, Merchant;
George Froats, Shoemaker; Daniel Rose, Tailor; J. W. Rose, Merchant;
John Hanes, Innkeeper; John Cappell, Saddler; George Markley, J.P.;
John Deeks, Farmer; Alex. Colquhoun, Farmer; Bottis Higgle, Tanner;
Riley Johnson, Farmer; John Finnely, Farmer; Henry G. Merkley, Hatter;
Samuel Nash, Blacksmith; Simon T. Stata, Yeoman; Samuel Rossiter, Herman
Hayunga, Min.; John Whittiker, Farmer; William M'Kenzie, Joiner; James
Dorin, Farmer; Alex. Colquhoun, Jr., Farmer; Peter Hanes, Joiner; Jacob
Casselman, Gilbert Vannuller, Daniel T. Bnaeffle, J. R. Castleman,
George Singenbeller, Jacob Meekley, Senior; Henry Weegan, C. Keirnes,
Wm. Perrin, J. P. Crysler, Peter Marselis, Jacob J. Merkley, Joseph
Becksted, John T. Casselman, John A. Casselman, Christopher Merkley,
Cephrenes M. Casselman; J. A. Pierce, Innkeeper; Adam Snyder, Martin
Castleman, Junior; Martin Castleman, Charles Duvall, Adam Schwerdfeger,
William Loucks, Peter Shaver, J.P.; Jas. West, Deputy Surveyor; William
Shwayne, Michael Pillar, Donald M'Gillivray, Andrew Brown, John H.
Munroe, Edmund Dorwin, Solomon Dorwin, James Soper, Henry Delanleagh,
William Littlebrant, James Colquhoun, Michael Schwerdfeger, Michael
Bedsted, George Doren, John Froats, Philip Froats, A. M'Farling, Farmer;
Patrick Higgins, John Crysler, J.P.; Amando Well, Attorney at Law;
Walter Bell, P.M.; David M'Culloch, George Kelly, Isaac Keeler, Nelson
Hotman, Adam Nudu, George P. Morkboy, Benjamin Meeds, John M'Donald,
John T. Brouse, Charles N. Holmes, George W. Marscks, Henry Schwerdfeger,

George Dulmage, John V. Bedsted, Thomas Glynn, Peter Van Allen, William A. Bush, Sidney Doren, Samuel Logan, William Rose, Bernard Whittaker, William Tray, D.P.S.

Printed.

Ordered, That certain Statements respecting the Imports and Exports of the Province of Canada, laid before the House on the thirtieth ultimo, be printed for the use of the Members of this House.

Quebec Turnpike Roads Bill.

The Order of the Day for the second reading of the Bill to amend a certain Act, intituled, "An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near

Quebec," being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Chabot took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chabot reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Board of Works Bill.

The Order of the Day for the House in Committee on the Bill to amend the Law constituting the Board of Works, being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonell of Stormont took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Stormont reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Etobicoke Road Bill.

The Order of the Day for the House in Committee on the Bill to incorporate certain persons under the name of "the Etobicoke and Mono Sixth Line

Road Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Solicitor General Taschereau took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Solicitor General Taschereau reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

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Nicolet Regis-
try Office Bill.

The Order of the Day for the second reading of the Bill to provide for the removal of the Registry Office of the County of Nicolet, from the place where it is now held, to Bécancour, being read:

The said Bill was accordingly read, and ordered to be Engrossed.

Dorchester
Registry Office
Bill.

The Order of the Day for the second reading of the Bill, to establish a separate Registry Office in the lower part of the County of Dorchester, being read;

Quorum.

Several Members having retired, the names of those present were taken down as followeth:--

MR. SPEAKER.

Baldwin, Boulton, Cauchon, Chalmers, Daly, DeWitt, Duggan, Hale, Hall, Laurin, Macdonald of Glenarry, M'Connell, Méthot, Robinson, Rousseau, and Solicitor General Taschereau.

And at twenty minutes past midnight,

Mr. Speaker adjourned the House for want of a Quorum.

APPENDIX, 1 JUNE 1846.

((QUESTION AND ANSWER RE: STOPPAGE OF CLERGY RESERVES SALES.))

Plusieurs membres ((ont interpellé M. Draper)).⁶⁸

MR. AT. GEN. DRAPER avaient répondu qu'il n'existait aucune dépêche de bureau colonial qui eût engagé le gouvernement canadien à suspendre pour quelque temps la vente des réserves du clergé⁶⁹.

FOOTNOTES - 1 JUNE 1846.

1. The debate on this motion was reported by: LA MINERVE, 1 June 1846; and MONTREAL GAZETTE, 2 June 1846. Commentaries are contained in L'AUREOLE, 3, 6 June 1846; and LE JOURNAL DE QUEBEC, 4 June 1846.
2. MONTREAL GAZETTE, 2 June 1846.
3. IBID.
4. The debate on this motion was reported by: LE JOURNAL DE QUEBEC, 6 June 1846, MONTREAL GAZETTE, 2, 3 June 1846, and ST. CATHARINES JOURNAL, 11 June 1846, in identical accounts; and MIRROR, 1 June 1846, and PILOT, 6 June 1846, in identical accounts.
5. MIRROR, 1 June 1846.
6. IBID.
7. MONTREAL GAZETTE, 2 June 1846.
8. MIRROR, 1 June 1846.
9. IBID.
10. MONTREAL GAZETTE, 2 June 1846.
11. MIRROR, 1 June 1846.
12. MONTREAL GAZETTE, 2 June 1846.
13. MIRROR, 1 June 1846.
14. MONTREAL GAZETTE, 2 June 1846.
15. MIRROR, 1 June 1846.
16. IBID.
17. IBID.
18. MONTREAL GAZETTE, 2 June 1846.
19. IBID.
20. MIRROR, 1 June 1846.
21. MONTREAL GAZETTE, 2 June 1846.
22. MIRROR, 1 June 1846.
23. MONTREAL GAZETTE, 2 June 1846.
24. MIRROR, 1 June 1846.
25. MONTREAL GAZETTE, 2 June 1846.
26. MIRROR, 1 June 1846.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. MONTREAL GAZETTE, 3 June 1846. According to MONTREAL GAZETTE, Henry Sherwood also shared these opinions.
33. MIRROR, 1 June 1846.
34. IBID.
35. LE JOURNAL DE QUEBEC, 6 June 1846.
36. MIRROR, 1 June 1846.
37. IBID.
38. MONTREAL GAZETTE, 3 June 1846.
39. MIRROR, 1 June 1846.
40. MONTREAL GAZETTE, 3 June 1846.
41. MIRROR, 1 June 1846.

42. IBID.
43. MONTREAL GAZETTE, 3 June 1846.
44. MIRROR, 1 June 1846.
45. MONTREAL GAZETTE, 3 June 1846.
46. MIRROR, 1 June 1846.
47. MONTREAL GAZETTE, 3 June 1846.
48. MIRROR, 1 June 1846.
49. MONTREAL GAZETTE, 3 June 1846.
50. MIRROR, 1 June 1846.
51. MONTREAL GAZETTE, 3 June 1846.
52. MIRROR, 1 June 1846.
53. MONTREAL GAZETTE, 3 June 1846.
54. IBID.
55. MIRROR, 1 June 1846.
56. MONTREAL GAZETTE, 3 June 1846.
57. MIRROR, 1 June 1846.
58. MONTREAL GAZETTE, 3 June 1846.
59. MIRROR, 1 June 1846.
60. IBID.
61. IBID.
62. MONTREAL GAZETTE, 3 June 1846.
63. MIRROR, 1 June 1846.
64. MONTREAL GAZETTE, 3 June 1846.
65. IBID.
66. MIRROR, 1 June 1846.
67. IBID.
68. LE JOURNAL DE QUEBEC, 6 June 1846.
69. IBID.

TUESDAY, 2 JUNE 1846.

11 O'Clock, A.M.

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Nicolet Regis-
try Office Bill.

AN Engrossed Bill to provide for the removal of the Registry Office of the County of Nicolet, from the place where it is now held, to Bécancour, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to provide for the removal of the Registry Office of the County of Nicolet, from the place where it is now kept, to Bécancour."

Ordered, That Mr. Méthot do carry the said Bill to the Legislative Council, and desire their concurrence.

Rates of
Postage.

The Honourable Mr. Robinson, from the Select Committee appointed to prepare and report the Draught of an humble Address to be presented to Her Majesty; praying that Her Majesty will be graciously pleased to take into her favourable consideration, the necessity of reducing the Rates of Postage in Her Majesty's North American Colonies; presented to the House the said draught of an Address, which was again read at the Clerk's table, and is as followeth:--

To the Queen's Most Excellent Majesty.

Address to
the Queen.

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's dutiful and Loyal Subjects, the Commons of Canada in Provincial Parliament assembled, sensible of the desire of Your Majesty at all times to listen favourably to every suggestion, which may have for its object the convenience and welfare of Your Subjects, in every portion of Your Majesty's widely extended Dominions, beg leave to represent to Your Majesty that while We thankfully acknowledge the great benefit, that has been conferred on the Inhabitants of the North American Colonies, by the establishment of a regular conveyance by Steam, of the Mails between Great Britain and America, We would respectfully call the attention of Your Majesty's Imperial Government to the necessity of providing for their more frequent transmission during the winter months.

We need scarcely remind Your Majesty, that mainly depending as the Inhabitants of these Colonies do, on the intercourse with the Mother Country, for their social happiness and commercial and agricultural prosperity, it is an object of the greatest importance to them, that every facility should be afforded to it; and that between the first of December and first of April, when but one Mail per month is despatched to and from the two countries, the necessity for a more frequent communication is particularly felt. It is during that period all the surplus produce of the country is purchased and prepared for the British Markets, and the prices here of our staple commodities being regulated entirely by those in Britain, both buyer and seller require the earliest

notice of any change that may take place in the Markets of Europe, to prevent in many cases serious losses to the one or to the other.

We would also urge as a further reason for the favourable consideration of our request, the fact, that during the winter both Your Majesty's Imperial Parliament and Colonial Legislatures, are generally in Session, and that it is highly desirable in many instances, that more frequent intercourse should take place between them, than once a month.

Taking these circumstances into consideration, and many others which, if necessary, might be mentioned, We humbly hope Your Majesty will be graciously pleased to cause the necessary measures to be adopted for insuring to Your Loyal Subjects in these Provinces, the transmission of the Mails at least twice a month during the whole year.

Intimately connected with the foregoing, is the excessive high rates of postage which Your Majesty's Colonial Subjects are compelled to pay by the Imperial Government, without any reference to the Local Legislature, and they deem it imperative on them to beseech Your Majesty, promptly to take the same into your gracious consideration.

We feel assured that Your Majesty will at once admit the hardship of British Subjects in one portion of the Empire being compelled to pay extravagantly for that, which by others is enjoyed at a merely nominal charge; while in Britain a letter may be sent to any portion of that country for one penny, the inhabitants of Canada are forced to pay, from four-pence half-penny to one shilling and four-pence Provincial Currency, for a single letter within the limits of the Province, although, at the same time, they can send a letter from any part of Canada to Britain, by Your Majesty's Royal Mail Steamers, for the last mentioned sum.

The Government of the United States, anxious to relieve their citizens from so vexatious a burthen, have, within the last year reduced the Rates of Postage in that Country, from a standard similar to that still imposed upon us, to the more moderate charge of twopence half penny sterling on a single letter, for a distance of 300 miles, and five pence for an distance beyond that. And We can assure Your Majesty that so great a boon enjoyed by a people living in their immediate vicinity, causes the Inhabitants of Canada to desire, with increased earnestness, the favorable consideration of Your Majesty's Government, on a question of so much importance to them.

We therefore humbly pray, that Your Majesty will be graciously pleased to direct that a reduction of our Rates of Postage may take place without delay; and if not to the extent enjoyed in the Mother Country, at least not exceeding the charge now made in the United States.

We state with confidence that the high Rates of Postage, now exacted is a serious charge on the social and commercial intercourse of the Colonies, and that in order to evade it, much of the correspondence is conveyed by private individuals, to the serious loss of the revenue.

We are prepared to hear it objected, that the reduction asked for will cause such diminution in the Revenue of the Post Office, as might seriously impair the efficiency of that Department. But when it is considered that large sums are now annually paid for postage on account

of the Public Service. We respectfully submit to Your Majesty, that both the Imperial and Colonial Governments might, with justice, be called upon to pay their fair proportion of any deficit that may be

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caused by a reduced rate, believing that the revenue from the great increase in the number of letters sent by Mail, will, in a short time, be found sufficient to meet the expenses of the Department.

We would also suggest the propriety of relieving the Press from charges which now bear heavily upon it, by allowing exchange Newspapers to be sent by Mail, free of postage, and remittances to Editors in payment of their papers, to be transmitted by Postmasters without charge, as is the case in the United States.

We take this occasion to renew to Your Majesty the assurance of our sincere attachment to Your Majesty's Person and Government.

Printed.

Ordered, That the said Address be printed for the use of the Members of this House.

Bank of
Upper Canada.

Mr. Boulton, from the Select Committee to which was referred the Petition of the Bank of Upper Canada, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have carefully examined the several Petitions laid before your Honourable House, praying for a repeal of the Tax, which is one per cent. per annum on the issues of the Banks, taken from the average monthly returns of the circulation, and after mature consideration, they are of opinion that a reduction of this Tax is most desirable, inasmuch as they feel its continuance must prove exceedingly detrimental to the Monied and Commercial Interests of this Province.

Your Committee consider the Tax to be at variance with the principle of fair and equal taxation, operating as it does, as an Income Tax upon one particular class of the community, viz., Shareholders in our Chartered Banks, whilst Stockholders in every other Joint Stock or Incorporated Company are exempted from any similar imposition.

Your Committee further consider, apart from this Tax being inconsistent with fair taxation, it is unduly onerous, being equal to eight per cent, upon the Dividends of the Shareholders, which is more than four times the amount of the Income Tax in England, and when they reflect that a majority of the holders of Bank Stock in Canada are persons whose sole income, or the greater part of it, is derived from their Dividends, and who are, in many cases, unable to bear the deprivation of their property, which this Tax has had the effect of causing, they feel it to be a grievance which loudly calls for the interference of your Honourable House.

In pursuing their investigation on this important subject, your Committee have been unable to discover that any other Tax is imposed on Banks in England, than the stamps for their notes, and the Income Tax

on Dividends, when they amount to a given sum; and that the Tax upon these items bears but a very small proportion to their profits, when contrasted to that imposed on the Banking Institutions of Canada.

Your Committee have ascertained, that in the State of New York, a Tax is imposed upon Bank Capital, but they beg to draw the attention of your Honourable House to the fact, that in that State the Tax is not imposed for the purpose of contributing to the State revenue, but to form a Safety Fund for securing the public against loss.

And it is believed, that in no other Country than Canada is there in existence such a Tax as that complained of; and whilst the Capital employed in Banking in Canada is acknowledged to be insufficient for developing the resources and extending the Commerce of this young and rising country, they cannot reconcile the continuance of this Tax with the true interests of the Province, or with the change now taking place in the commercial policy of the Empire.

Your Committee are of opinion that the Petitioners have just reason to complain of the injustice of the Tax referred to, conceiving as they do, that the Tax has had the effect of depreciating the value of their property, which, from being considered a few years ago, the most eligible investment in point of interest, and the facility with which it could be realized when required, has now come to be looked upon in a very different and secondary light; and they are satisfied the imposition of the Tax upon the circulation, instead of upon the profit, has had and must continue to have a most injurious effect upon the public generally, by inducing the Banks, too frequently, to seek business of a nature not involving the issue of Bank notes, and thus causing the agriculturist and mechanic, who are most benefited by a free circulation of money, to be serious sufferers in consequence.

Your Committee are of opinion, that a continuance of the present Tax must necessarily have the effect of preventing the employment of more capital in banking than we now enjoy, and that this alone, must prove injurious to the growing commerce of this Province.

Your Committee are further of opinion, that, whilst they have no hesitation in denouncing the continuance of the Tax as most impolite; and whilst they are satisfied that its longer continuance cannot be defended on other grounds than for the sake of revenue, the general revenues of the country are indirectly diminished to a much greater extent than the Tax received by the contractions in commerce necessarily consequent upon the course forced upon the Banks by this impolite and injurious Tax.

Your Committee, therefore, most respectfully recommend your Honourable House to pass a Bill, repealing this unjust, unequal, and oppressive Tax, or if a Tax on banking institutions is considered advisable, that the Tax be imposed on the dividends, and not on the circulation, as at present.

Printed.

Ordered, That the said Report be printed for the use of the Members of this House.

On motion of Mr. Macdonell of Stormont, seconded by Mr. Cummings,

Address,
Claims of
Inhabitants
of Mille
Roches.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House what steps have been taken by the Executive Government to adjust the claims of the Inhabitants of Mille Roches; also, on the Address of this House, during the last Session, on the claim of Peter Anderton, and of Peter and Robert M'Kay, Contractors on the St. Lawrence Canal.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Quebec and
Halifax Rail-
road.

The Honourable Mr. Attorney General Smith, from the Select Committee to which were referred the Resolutions adopted by this House, on the twenty-sixth of May last, on the subject of the Quebec and Halifax Railroad, to prepare and report the draught of an Address to His Excellency the Governor General, in conformity therewith, presented to the House the draught of the said Address, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Address.

To His Excellency Lieutenant General the Right Honourable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, Knight, Commander of the most Honourable Order of the Bath, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward,

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and Vice-Admiral of the same, and Commander of Her Majesty's Forces in British North America.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Commons of Canada, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your Message of the twelfth ultimo, relative to the projected Railroad from Quebec to Halifax.

We assure Your Excellency, that We are fully sensible of the value and importance in a political point of view, of improving the Inland Route between Quebec and Halifax, by the construction of a Railroad, thereby shortening the time within which communications can take place between this Province and the Mother Country, and facilitating the defence of the British Possessions, on this Continent, in the event of a war.

We are humbly of opinion, that a Survey and Estimate should be made for the purpose of ascertaining the best Route for, and the cost of constructing such Railroad from Quebec to the South-Eastern Boundary of

this Province, to unite with a Railroad to be constructed onwards to Halifax, and that a Report should also be obtained of the nature of the Country, through which the first mentioned Railroad will pass--its Population, Resources, Trade, and such other statistical information, as will enable the Legislature to judge of the Commercial value and importance of the projected improvement, and to decide on the extent to which it may be for the interest of this Province, to co-operate with the Imperial Government and the Sister Colonies, in encouraging and assisting the completion of this undertaking.

We therefore humbly pray that Your Excellency will be pleased to take the necessary measures to procure such Survey, Estimate, Report, and information, assuring Your Excellency that we will make good the expense attending the same.

Ordered, That the said Address be Engrossed.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Williamsburg
Bridge.

Resolved, That the Return to an Address of the eleventh ultimo, for various Documents relative to a Bridge across the Williamsburg Canal, in front of the village of Maria Town, laid before this House yesterday, be referred to a Select Committee, composed of Mr. Macdonell of Dundas, Mr. Foster, and Mr. M'Connell, to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Williams, seconded by Mr. Petrie,

Lake St. Peter.

Ordered, That the Report of the Select Committee, to which was referred that part of the Report of the Chairman of the Board of Works which refers to Lake St. Peter, be committed to a Committee of the whole House on Thursday next.

District Courts
Act Bill.

Ordered, That Mr. Duggan have leave to bring in a Bill to amend an Act, intituled, "An Act to amend, consolidate, and reduce into one Act, the several Laws now in force establishing or regulating the Practice of the District Courts in that part of the Province formerly Upper Canada."

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and ordered to be read a second time to-morrow.

Etobicoke
Road Bill.

Mr. Solicitor General Taschereau, from the Committee of the whole House on the Bill to incorporate certain persons under the name of "the Etobicoke and Mono Sixth Line Road Company," reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the

House.

Ordered, That the said Bill as amended be Engrossed.

Quebec Turn-
pike Roads
Bill.

Mr. Chabot, from the Committee of the whole House on the Bill to amend a certain Act, intituled, "An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near

Quebec," reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Superior
Courts Bill,
(U.C.).

The Order of the Day for the second reading of the Bill to provide for the permanent accommodation of the Superior Courts of Law and Equity, in that part of this Province, formerly

Upper Canada, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Smuggling
Bill.

The Order of the Day for the second reading of the Bill for the further prevention of Smuggling, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Civil List Bill.

The Order of the Day for the second reading of the Bill for the granting a Civil List to

Her Majesty, being read;¹

MR. BALDWIN ... rose and complained that the preamble of the bill was not couched in the terms usual on such occasions, and which respect and affection to Her Majesty required. It was in fact a preamble in its form just like the preamble to a turnpike act, or any other common bill--not like one in which we approach the Sovereign, as in this instance. It ought to have commenced--Most Gracious Sovereign, &c., with those assurances of attachment to Her Majesty's person and Government usual and proper on such occasions. Such being the case, he and his honourable friends on that side of the House felt the necessity, in the discharge of their duty, as Her Majesty's faithful Opposition, to point out this irregularity and to insist upon Her Majesty's Ministers so amending their bill as to make it conformable to the usual proper manner of approaching Her Majesty on such occasions. (Hear, hear.)--This was in his opinion doubly necessary on the present occasion, it being the first time of presenting to the Crown from this House a measure of this kind. (Hear, hear, hear.)² It would be desirable that no form of courtesy usually adopted, ought to be omitted.³ Again in reference to the inherent rights of this House in the matter of all such grants, and which had been intended to be saved, though he (Mr. B.) thought not sufficiently so, by the amendment of the hon. the Inspector General to his (Mr. B's) resolution upon that subject. He (Mr. B.) thought that every hon. member would agree with him that language as strong at least as that of the on. (sic) Inspector General himself ought to be inserted in the preamble of this bill.⁴ He complained

that the honourable Inspector General had not embodied in the preamble the declaration of the House as the exclusive right of the Canadian Legislature to grant a Civil List for Canada.⁵ Indeed, the omission to do this was what he, (Mr. Baldwin) could not understand, for he would not impute to Her Majesty's Ministers any want of respect for the Sovereign, nor did he (Mr. Baldwin) imagine them to have had any intention of taking the House by surprise. In fact, he could not account for it at all, and must leave it to be calculated on by those who might be curious in such matters.--There was another omission, as it appeared to him, in the bill, which he would briefly refer to. There has been no specific provision made for any surplus that may arise from occasional vacancy in any of the offices or any other contingency. It was true he saw terms used in the bill which may have been intended to meet this point, but he would call the attention of Her Majesty's Ministers to it, with a view to their considering whether it would not be better to provide for it by a specific clause.--⁶ Besides this, he did not find that any provision was made for the higher rate of salary proposed to be continued to the present incumbents. There was a clause to that effect in the bill, no doubt, but there should have been a specific vote of the House--there might, perhaps, have been such a vote, but he thought not; if so: of course, he would be corrected.⁷ Again there was another omission in the bill which he thought was clearly one that would require to be supplied. There was no clause establishing a consolidated Fund and as the clause in the Union act which provided for this was one of those to be repealed as a condition precedent to this bill going into effect, and he thought properly so, it would leave the establishment of such Fund unprovided for. This was clearly an omission as the Hon. the Inspector General would himself see and having pointed it out he would leave it in the hands of the Hon. the Inspector General himself.⁸ He should also have to move an amendment to that part of the bill which described the Crown as having a right to certain revenues⁹. Having thus pointed out the objections that appeared to him to exist against the bill as it stood, upon points about which he hoped there would be little or no difference of opinion, he would now beg to add that having again considered the terms used in the Resolutions of the Hon. Inspector General in speaking of the public revenue and to which he had moved an amendment in the Committee of Supply he was unable to concur in such Resolutions as sufficient to save the rights of the people. The same terms had been introduced in the bill which was of course perfectly proper in the framer of the bill. But as, after the fullest consideration, he remained of the same opinion he had expressed before he would feel it his duty to renew the attempt to have the bill amended in this particular and should he fail he feared that he should be compelled to vote against the bill. This he could have wished had been otherwise but with his strong opinion upon the subject and more particularly as it was one which at some future time must arise (sic) he could not consent to acquiesce (sic) in any course that might embarrass the question or those who may then have to dispose of it. He would not ((continue)) on this point after what had proved (sic) in the Committee of Supply occupying the time of the Committee on the bill or that of the House

further than was necessary to place on record in the most formal manner his objections to this part of the bill. He would therefore move an instraction (sic) to the Committee on the bill to amend the preamble in the manner he had pointed out, and would move his amendment in the Committee and also in the House at the latest stage at which it could be done for the purpose of its appearing on the journals.¹⁰

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The said Bill was accordingly read.

The Honourable Mr. Cayley moved, seconded by the Honourable Mr. Attorney General Smith, that the said Bill be Engrossed.

The Honourable Mr. Baldwin moved in amendment, seconded by the Honourable Mr. LaFontaine, that all the words after "That," in the said motion, be struck out, and the following substituted, "The House will, this day, resolve itself into a Committee of the whole House, on the said Bill."

The question having been put on the said motion of amendment, it was agreed to by the House.

The question being then put upon the main motion as amended, it was also agreed to, and

Resolved, That this House will, this day,¹¹ resolve itself into a Committee of the whole House, on the said Bill.

Administra-
tion of Crimi-
nal Justice
Bill, (U.C.).

The Order of the Day for the second reading of the Bill for defraying the expenses of the Administration of Justice in Criminal matters, in that part of this Province, formerly Upper Canada, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Gulf St. Law-
rence Improve-
ment Bill.

The order of the Day for the second reading of the Bill to authorize the appropriation of nineteen thousand pounds to the improvement of the Gulf St. Lawrence, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Quebec Relief
Bill.

The Order of the Day for the second reading of the Bill for enabling Her Majesty to direct the issue of Debentures to a limited amount, and

for giving relief to the City of Quebec, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Armstrong took the Chair of the Committee.

Quelques membres ont représenté qu'en limitant à 5 pour 100 l'intérêt sur les débentures, il pourrait arriver que l'on rendit la loi illusoire et inutile¹².

On a objecté que non, qu'au contraire, il était mieux d'en agir ainsi pour éviter certains inconvénients qu'on n'a pas suffisamment indiqués¹³.

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and after some time spent therein,

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Quebec
Relief
Bill.

Mr. Speaker resumed the Chair;
And Mr. Armstrong reported, that the Committee
had gone through the Bill, and had made several
amendments thereto, which he was directed to report
to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Jesuits Estates
Revenue Bill.

The Order of the Day for the second reading
of the Bill for the appropriation of the Revenues
arising from the Jesuits Estates, for the year one
thousand eight hundred and forty-six, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Bankrupt
Laws Bill.

The Order of the Day for the House in
Committee on the Bill to continue and amend the
Bankrupt Laws now in force in this Province,
being read;

The House accordingly resolved itself into the said Committee.

Mr. Duggan took the Chair of the Committee,¹⁴

A very important amendment was introduced by MR. HALE, ... It was,
that every assignee of a bankrupt estate shall in future be a resident
householder within the district.¹⁵

The amendment was agreed to without opposition.¹⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duggan reported, that the Committee had gone through the
Bill, and had made several amendments thereto, which amendments were
again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Message from
Legislative
Council.

A Message from the Legislative Council, by
John Fenning Taylor, Esquire, one of the Masters
in Chancery:--

LEGISLATIVE COUNCIL,

Tuesday, 2nd June, 1846.

Alex. M'Leod.

Ordered, That one of the Masters in Chancery do
go down to the Legislative Assembly, to
request that they will communicate to this House copies of the Minutes
of Evidence, Documents and Papers, upon which is founded the Address
to Her Majesty upon the subject of the claim of Alexander M'Leod, for
remuneration from Her Majesty's Government.

And then he withdrew.

The Master in Chancery was then called in, and informed by Mr.
Speaker, that this House will send an answer by Message.

Message from
Legislative
Council.

Another Message from the Legislative Council,
by John Fennings Taylor, Esquire, one of the
Masters in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any
amendment:--

Montreal and
Lachine Rail-
road Bill.

"An Act to incorporate the Montreal and
Lachine Railroad Company."

"Banque des
Marchands"
Bill.

"An Act to incorporate 'La Banque des Mar-
chands.'"

Expiring Laws
Bill.

"An Act to continue for a limited time,
certain Acts and Ordinances therein mentioned."
And then he withdrew.

Return to
Address,
James Coons.

The Honourable Mr. Daly, one of Her Majesty's
Executive Council, laid before the House, by
command of His Excellency the Governor General,

Return to an Address from the Legislative
Assembly to His Excellency, the Governor
General, dated the 11th ultimo, praying that His Excellency would be
pleased to cause to be laid before them, "Copies of any Petitions,
Letters, or Addresses from James Coons, of Matilda, or on his behalf,
to the Executive Government and the Board of Works, relative to his
claims for damages under the Canal Act, and the replies, (if any,)
thereto; and all Correspondence on the same subject from William
Freeland with Government or the Board of Works; and also that he will
be pleased to cause to be laid before this House, Copies of all Letters
and Instructions from the Crown Officers, the Executive Government, or
Board of Works, or any of the Officers, or Mr. Freeland, on this subject;
and also information relative to the appointment of Mr. Freeland, its
date, the exact nature of his duties, the amount of his salary, how
and from what fund paid."

(For the said Return see Appendix X.X.)

Also,

E. S. de Rot-
termund.

Return to an Address from the Legislative
Assembly to His Excellency the Governor General,
dated the 23d ultimo, praying that His Excellency
would be pleased to cause the proper officer to lay before them, "Copies
of any Report or Reports from E. S. de Rottermund, heretofore Chemist
to the Geological Department, to the Head of the said Department, or
to the Provincial Government; and also of all Correspondence between
the said E. S. de Rottermund and the said Department, and between him
and the Provincial Government."

(For the said Return see Appendix W.W.)

Also,

"Scugog Lake
and Narrows
Bridge
Road."

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 22d ultimo, praying that he would inform them, "Whether the Government have decided upon the Line of Road, upon which the two thousand pounds voted last year, and referred to in the Report of the Chairman of the Board of Works, under the name 'Road from Scugog Lake to the Narrows Bridge,' is to be laid out."

No decision has yet been come to as to the Line of Road upon which the grant of two thousand pounds is to be laid out; but a further report and information has been called for, to enable the Executive to decide upon the matter.

*By Command,
D. DALY.*

*Provincial Secretary's Office,
Montreal, 2nd June, 1846.*

Municipal
Law Bill,
(U.C.).

The Order of the Day for the second reading of the Bill to amend the Laws now in force, establishing Municipal Authorities in Upper Canada, being read;¹⁷

MR. AT. GEN. DRAPER moved for the second reading of the Upper Canada Municipal bill.¹⁸

MR. BALDWIN congratulated the Attorney General on his change of opinion respecting these laws since 1841, as was testified by the introduction of the bill, which, if he did not mistake, bore a very close resemblance to the one he had himself introduced in that year.¹⁹

MR. AT. GEN. DRAPER would admit it was a subject of self congratulation that he was likely to enjoy the support of the hon. member for the Fourth Riding, but as it was so rare, he feared it would not be a very long continuance.²⁰

MR. SMITH, of Frontenac, remarked that the Attorney General West was only following in the footsteps of the greatest statesman of the day, by carrying his measures by his opponents. He was happy to find that the election of Wardens by the District Councils was conceded in this bill, as it was a principle they had long contended for, but he would wish that he had gone a little further, and allowed the election of treasurer also. That was a concession earnestly desired, and he did not believe the bill would give satisfaction without it.²¹

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The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Colville took the Chair of the Committee,

MR. D. MACDONELL, of Stormont said there was a general complaint in his District that the Treasurer had resisted the authority of the Council, and that the District was deprived of the funds over which it had authority. In order to put an end to these complaints and give

the Council the power of compelling the Treasurer to hand in his accounts, he would move that the District Councils should have the power of electing Treasurers, which he considered absolutely necessary for the public good. As he had already said, the affairs of his District were in great confusion, and complaints had been made to the Government, which had not been treated with due consideration, and as there was no appearance of any satisfactory arrangement, he felt bound to make this motion.²²

MR. J. S. MACDONALD of Glengarry, thought that if the Government consulted their own convenience they would agree to this motion. It was the unanimous wish of the District Councils that they should have the power of electing their Treasurer, and were they to be trifled with and told that the proposition could not be listened to. The principle was plain and just, and when every other Corporation enjoyed the right now contended for, he could not see on what grounds it should be refused. The office of Treasurer was the most important of all, and it was absolutely necessary that it should be filled by an individual in whom the Council could repose confidence, and whom they could depose when they thought necessary, until that objection was removed, it would be impossible (sic) that the affairs of his District could go on satisfactorily. If however, it were objected that the Government have funds in the hands of the District Treasurers, what then? Let the District Council give security, and the Government hold it responsible for its monies, that (sic) was what he would suggest, and give the Councils that power which they demanded.²³

MR. AT. GEN. DRAPER said he must oppose the motion of the hon. member for Stormont on general grounds, without any reference to local matters. If the Treasurer had no other monies under his management but those belonging to the District, he (Mr. D.) would have no objection to the motion, but he was the manager for the Province, of the fund for the Administration (sic) of Justice, as well as of the fund for the support of the Lunatic Asylum, and the fee fund, none of which belonged to the District, and therefore it was necessary that the Government should have some control over him, and that his securities should be given to the Province and not to the District.²⁴

MR. PRICE regretted that the Attorney General West could not, notwithstanding his objection, see the propriety of acceding to the proposition of the hon. member for Stormont. In fact, to make these District Councils work harmoniously, they should have the right of electing all their (sic) own officers, and the concession of that principle would go a great way to establish the popularity of the hon. Attorney General throughout the country, (hear, hear.) Now, the Council of the Home District is composed of a very intelligent class of persons.--²⁵

MR. BOULTON.--All Radicals.²⁶

MR. PRICE. No. Not all, for there are some very respectable Tories among them, (hear.) That Council had done a vast amount of good in its District, but it did not work harmoniously in consequence of not having

the power of electing its own officers, and the result of it was, that they did not grant regular salaries, but voted a sum annually in the shape of gratuities to their officers, and have resolved not to grant them a regular salary until they have the right of election.²⁷

MR. PETRIE would support the resolution, in his opinion the District Council (sic) should have the right of appointing all their officers.²⁸

Mr. Macdonell's resolution was then put and carried.²⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Colville reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Contingencies.

The Order of the Day for the House in Committee on the Fourth Report of the Standing Committee

on Contingencies, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Frontenac took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Frontenac reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Thursday next.

On motion of Mr. Gowan, seconded by Mr. Chauveau,

Resolved, That the subject of the Salaries of the several Officers and Messengers of this House be referred to a Special Committee of five Members, to report their opinion upon a proper Scale or Schedule of

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Salaries or other allowances, to be paid to such Officers and Messengers; with power to send for persons, papers, and records.

Ordered, That Mr. Gowan, Mr. DeWitt, the Honourable Mr. Morin, the Honourable Mr. Robinson, and Mr. Christie do compose the said Committee.

Dorchester
Registry Office
Bill.

The Order of the Day for the second reading of the Bill to establish a separate Registry Office in the lower part of the County of Dorchester, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Cauchon took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported, that the Committee had gone through the

Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, *That the Report be received to-morrow.*

Orders post-
poned.

Ordered, *That the remaining Orders of the Day be postponed until to-morrow.*

*Then, on motion of Mr. Price, seconded by Mr. Cauchon,
The House adjourned until to-morrow at Eleven o'clock, A.M.*

APPENDIX, 2 JUNE 1846.

((NOTICE OF MOTION RE: COLLECTOR OF CUSTOMS AT DICKENSON'S
LANDING.))

MR. R. MACDONALD gave notice of a motion for an address to His Excellency praying for information relative to the appointment of a Collector of Customs at Dickenson's Landing.³⁰

FOOTNOTES - 2 JUNE 1846.

1. The debate on this motion was reported by: MIRROR, 2 June 1846, and PILOT, 6 June 1846, in identical accounts; and MONTREAL TRANSCRIPT, 4 June 1846.
2. MIRROR, 2 June 1846.
3. MONTREAL TRANSCRIPT, 4 June 1846.
4. MIRROR, 2 June 1846.
5. MONTREAL TRANSCRIPT, 4 June 1846.
6. MIRROR, 2 June 1846.
7. MONTREAL TRANSCRIPT, 4 June 1846.
8. MIRROR, 2 June 1846.
9. MONTREAL TRANSCRIPT, 4 June 1846.
10. MIRROR, 2 June 1846.
11. The MONTREAL TRANSCRIPT, 4 June 1846, added: "at 4 O'clock."
12. LE JOURNAL DE QUEBEC, 4 June 1846.
13. IBID.
14. The MONTREAL GAZETTE, 4 June 1846, observed: "The House of Assembly on Tuesday night was principally occupied with the new Bankrupt Law."
15. MONTREAL GAZETTE, 4 June 1846.
16. IBID.
17. The debate on this motion was reported by: MIRROR, 2 June 1846, and PILOT, 6 June 1846, in identical accounts.
18. MIRROR, 2 June 1846.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. MONTREAL TRANSCRIPT, 4 June 1846.

WEDNESDAY, 3 JUNE 1846

11 O'Clock, A.M.

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Quebec Turn-
pike Roads
Bill.

AN Engrossed Bill to amend a certain Act, intituled, "An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near Quebec," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chauveau do carry the said Bill to the Legislative Council, and desire their concurrence.

Gulf St. Law-
rence Improve-
ment Bill.

An Engrossed Bill to authorize the appropriation of nineteen thousand pounds to the improvement of the Gulf of St. Lawrence, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Superior
Courts Bill,
(U.C.)

An Engrossed Bill to provide for the permanent accommodation of the Superior Courts of Law and Equity, in that part of this Province, formerly Upper Canada, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada."

Ordered, That the Honourable Mr. Attorney General Draper do carry the said Bill to the Legislative Council, and desire their concurrence.

Etobicoke
Road Bill.

An Engrossed Bill to incorporate certain persons under the name of "the Etobicoke and Mono Sixth Line Road Company," was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Duggan do carry the said Bill to the Legislative Council, and desire, their concurrence.

Administra-
tion of Crimi-
nal Justice
Bill, (U.C.)

An Engrossed Bill for defraying the expenses of the Administration of Justice in Criminal Matters, in that part of the Province formerly Upper Canada, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Jesuits' Estates
Revenues Bill.

An Engrossed Bill for the appropriation of the Revenues arising from the Jesuits' Estates, for the

year one thousand eight hundred and forty-six, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Smuggling Bill. An Engrossed Bill for the further prevention of Smuggling, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read. Pursuant to the Order of the Day, the following Petitions were read:--

Of the Municipal Council of the District of Niagara, praying that relief may be granted to Gilbert M'Micking, for the destruction of his Steam Mill in the year one thousand eight hundred and forty.

Of Thomas Champion and others, praying for the re-erection of the Bridge over Duffin's Creek, between the first and second Concessions of the Township of Pickering.

Niagara Municipal Council. Mr. Cummings, from the Select Committee to which was referred the Petition of the Municipal Council of the District of Niagara, (relating to a Road,) and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report. Your Committee have delayed making their Report until the present late period of the Session, anticipating that the Board of Works, from representations made to that Body, would have seen the expediency as well as the necessity of acceding to the prayer of the Petition to your Honourable House.

Your Committee, however, find that notwithstanding the delay and time taken in communicating the views of the Board with the parties deeply interested, they have failed in carrying out an amicable adjustment of the matter of complaint set forth, which is, "That the Board of Works have decided on changing the line of the Queenston and Grimsby Road, so as to take it South of the village of Jordan, at the Twenty Mile Creek, in the Township of Louth, thereby diverting the travel from the line now used by the public, which passes directly through the village, which has within the period of nine years, as represented, to contain upwards of seventy substantial houses, with four churches. The village being thus laid out along the line of the old road, which also terminates with the Harbour, and will afford additional facilities to the inhabitants residing on both sides, in having access to the same, and should have been more favourably considered by the Board, even should it have been at the cost of a few hundred pounds more, by continuing the same through a flourishing and rapidly growing Village."

From the conflicting statements made by Mr. Hall and Mr. George Keefer, the Board of Works informed your Committee, they had instructed

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Mr. Shaw, a third Engineer, to repair to the place, and report thereon, which report has been before your Committee, and by which it appears: Estimate for grading and bridging Mr.

<u>George Keefer's Line</u>	...	£2008	0	0
Ditto by Line under Contract	...	1953	0	0
In favor of Line under Contract,	...	£55	0	0

This Estimate differs in a very trifling degree from that first made by Mr. George Keefer, and which was as follows:--

Estimate by way of the Old Road through the Village,	...	£2001	16	3
Ditto by way of the New Line	...	1965	2	3
In favor of New Line		£ 36	14	0

Your Committee have given the subject due consideration, and find that it is the opinion of the Board of Works, by their letter to Mr. Shaw, of the 9th May last, that, strictly speaking, the Line contracted for is the best in an engineering point of view, but to meet the interests of the rising Village of Jordan and its vicinity, they would consent to the Road being made on the Line through it, as recommended by Mr. Shaw, on condition that the amount of expenditure necessary to make the Road through the Village, beyond that of making the Road contracted for, should be paid by the parties interested, and if difficulties are found to the adoption of this course, the work on the present Line is to be proceeded with on the existing contract.

This appears to your Committee an admission of the justness of the claim of the inhabitants, therefore they should not be subjected to this additional expense, they having offered to pay the first, and have already been at great expense to obtain what they are entitled to, and only an act of justice.

W. Hillis, et al. Mr. Ermatinger, from the Special Committee to which was referred the Petition of William Hillis and others, of the District of London, and another reference, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report. Your Committee have taken into their consideration the Petitions referred to them, and have taken the testimony of several Witnesses on various charges contained in the said Petitions.

Your Committee find that at this late period of the Session it is wholly impracticable to complete the evidence on the charges contained in the said Petitions, and that a continuance of the proceedings of your Committee under the circumstances, would be inconclusive and unavailing.

Your Committee feel it their duty most respectfully to submit the above circumstances to your Honourable House.

On motion of Mr. Williams, seconded by Mr. Armstrong,

<u>Address</u>	<u>Resolved</u> , That an humble Address be presented
<u>Lake St. Peter.</u>	to His Excellency the Governor General, praying that His Excellency will be pleased to

cause to be laid before this House, Copies of all Communications made by the Chairman of the Board of Works to Captain Bayfield, R.N., to Captain Beaufort, R.N., and to James M. Kendal, Esquire, Civil Engineer, which drew from those gentlemen their approval of the new cut, (now in progress on Lake St. Peter under the Board of Works,) in preference to improving the old Ship Channel; and also, Copies of any Estimates heretofore made by the Board of Works, of the amount of excavation required, and the expense attending the same of the said old and new Channels respectively.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

James Coons. Resolved, That the Return to an Address of the eleventh ultimo, for Documents and Correspondence relative to the claims of James Coons, of Matilda, for damages under the Canal Act, laid before this House yesterday, be referred to a Select Committee, composed of Mr. Macdonell of Dundas, Mr. Foster, and Mr. M'Connell, to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Dickson, seconded by Mr. Cummings,

Alex. M'Leod. Resolved, That a Message be sent to the Honourable the Legislative Council, communicating to their Honours, Copies of the Minutes of Evidence, Documents, and Papers, upon which is founded the Address to Her Majesty on the subject of the claim of Alexander M'Leod, for remuneration from Her Majesty's Government.

Ordered, That Mr. Dickson do carry the said Message to the Legislative Council.

On motion of the Honourable Mr. Morin, seconded by Mr. Hale,

Library. Resolved, That this House do now resolve itself into a Committee of the whole House, on the Report of the Standing Committee appointed to assist Mr. Speaker in the direction of the Library.

The House accordingly resolved itself into the said Committee.

Mr. Ermatinger took the Chair of the Committee.¹

MR. MORIN, brought up the report of the Library Committee. It recommended that one copy of all duplicates (sic) works in the library except parliamentary papers, should be bestowed by way of a loan to Athenaeum Toronto and the Historical Library of Quebec, to be divided between them. It also recommended that the sum of £1,000 be expended this year for books, and Messrs. Armour and Ramsay should procure the English works and Mr. Fabre the French works at a commission of 12½ per cent.²

The report was adopted except so much as related to the persons who were to purchase the books.³

M. MOFFATT ... croyait que c'était dépasser les droits constitutionnels de la Chambre de faire cette espèce de dépense, sans la recommandation de l'Exécutif⁴.

On dit que la province était endettée, et qu'il fallait payer la dette énorme qui pesait sur nous.⁵

MR. PRES. EX. COUN. VIGER ... a soutenu le droit de la Chambre à faire cette dépense, de son propre mouvement, reconnu, consacré par l'usage, pour elle aussi bien que pour le Conseil Législatif.⁶
OR M. Viger, lui, disait qu'il est inconstitutionnel de payer l'achat des livres sur les contingents de la chambre.⁷

On lui en dit que c'était une chicane de formes⁸.

MR. PRES. EX. COUN. VIGER répondit: "La forme c'est tout."⁹

Alors quelqu'un ... ((a répondu)): "Vous êtes donc une forme."¹⁰

MR. MORIN then moved that Mr. Faribault, assistant clerk of the House, be directed to proceed without delay to London and Paris to purchase the books named in the list, and also to make an arrangement with one bookseller in each of the above mentioned cities to furnish all the books that may be required at any time by this House.¹¹ He said that, last year, the House had been charged 63½ per cent, of the price by way of commission, on the English books imported by Messrs. Armour & Ramsay, and 49 per cent. on the French books imported by Mr. Fabre, it was, therefore, suggested to him, that it would be much cheaper for the House to send an agent to Europe to make its purchases. At any rate, it was worth the experiment, especially as it would give facilities to Mr. Faribault to improve his collection of books relating to the history of America, which was so important as to be almost a matter of public concern. He believed that gentlemen (sic) possessed the best Library in the world of books relating to¹² Canada.¹³

The speaker then took the chair, and the House adjourned till the afternoon.¹⁴

EVENING SITTING.

The Report of the Library Committee recommending that Messrs. Armour & Ramsay be instructed to purchase English works, and Mr. Fabre those in the French language; and that the duplicates in the Library be loaned to the Athenaeum Society of Toronto, and the Literary Association at Quebec was again taken up.¹⁵

MR. MORIN moved, in amendment that Mr. Farribault (sic) be sent to London and Paris to purchase the books required.¹⁶

MR. PRES. EX. COUN. VIGER fit remarquer que la chose ne serait pas constitutionnelle, que quoiqu'il pensât que ce serait un moyen d'économie, il serait nécessaire pour charger M. Faribault de cette mission, du consentement de l'exécutif. Il pensait qu'une adresse au gouverneur avec promesse de faire bon de la somme nécessaire à cet

effet pourrait suffire.¹⁷

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Ermatinger reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

It being moved, and the question being put,

That the Committee have leave to sit again on Friday next?

The House divided.

Yeas.....14.

Nays.....19.

So it passed in the negative.

M. LAFONTAINE ((fit motion)) ... pour remettre la considération du rapport du comité de la bibliothèque à six mois¹⁸.

(310)

It being then moved, and the question being put,

That the Committee have leave to sit again, on this day six months?

The House divided thereon, and the names being called for, they were taken down as followeth:--

YEAS.

Berthelot, Boulton, Bouthillier, Chabot, Colville, Gowan, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Morin, Nelson, Petrie, Rousseau, Smith of FRONTENAC, and Stewart of BYTOWN.--(21.)

NAYS.

Armstrong, Baldwin, Cayley, Chalmers, Chauveau, Christie, Cummings, Dickson, Attorney General Draper, Foster, Hale, Jessup, Macdonell of DUNDAS, Moffatt, Papineau, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Attorney General Smith, Solicitor General Taschereau, and Viger.--(21.)

And the votes being equally divided, Mr. Speaker gave his casting vote in the negative.

M. MORIN fit alors ... motion de remettre l'examen du rapport à trois mois.¹⁹

(310)

It being then moved, and the question being put,

That the Committee have leave to sit again, on this day three months?

The House divided thereon, and the names being called for, they were taken down as followeth:--

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YEAS.

Berthelot, Boulton, Bouthillier, Chabot, Colville, DeWitt,

Ermatinger, Gowan, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Méthot, Morin, Nelson, Petrie, Rousseau, Smith of FRONTENAC, Stewart of BYTOWN, and Taché.--(25.)

NAYS.

Armstrong, Baldwin, Cayley, Chalmers, Chauveau, Christie, Cummings, Dickson, Attorney General Draper, Foster, Hale, Jessup, Macdonald of CORNWALL, Macdonell of DUNDAS, M'Connell, Moffatt, Papineau, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Attorney General Smith, Solicitor General Taschereau, Viger, and Woods.--(24.)

So it was carried in the affirmative, and

Ordered, That the said Committee have leave to sit again, on this day three months.

Bankrupt
Laws Bill.

An Engrossed Bill to continue and amend the Bankrupt Laws now in force in this Province, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith, do carry the said Bill to the Legislative Council, and desire their concurrence.

Board of
Works Bill.

Mr. Macdonell of Stormont, from the Committee of the whole House, on the Bill to amend the Law constituting the Board of Works, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

The Honourable Mr. Baldwin moved in amendment, to Schedule B. 4, of the said Bill, seconded by Mr. Price, that the words "Pleasure Vehicles, and Vehicles carrying loads for hire, for twenty-four hours use of road from 12 P.M., of one day, to 12 P.M., of the next, with the same horse or horses," in the said Schedule, be struck out, and the following inserted in lieu thereof, viz: "Pleasure Vehicles, and Vehicles carrying loads for hire, to pay on every time of passing with right, (having so paid,) to return at any time within four days, with the same horse or horses, free."

The question having been put on the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bouthillier, Chabot, Chauveau, Christie, DeWitt, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonell of STORMONT, Méthot, Morin, Nelson, Price, Rousseau, Scott, and Taché.--(23.)

NAYS.

Boulton, Cayley, Chalmers, Colville, Cummings, Daly, Dickson, Attorney General Draper, Foster, Gowan, Hale, Hall, Jessup, Macdonald

of CORNWALL, Macdonell of DUNDAS, M'Connell, Moffatt, Papineau, Petrie, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Solicitor General Taschereau, Viger, and Woods.--(28.)

So it passed in the negative.

The Honourable Mr. Baldwin then moved in amendment, to Schedule B. 4, of the said Bill seconded by Mr. Price, that the words "Pleasure Vehicles, and Vehicles carrying loads for hire, for twenty-four hours use of road, from 12 P.M., of one day, to 12 P.M., of the next, with the same horse or horses," in the said Schedule, be struck out, and the following inserted in lieu thereof, viz: "Pleasure Vehicles, and Vehicles carrying loads for hire, to pay on every time of passing, with right, (having so paid,) to return at any time, within two days, with the same horse or horses, free."

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chauveau, DeWitt, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Morin, Nelson, Price, Rousseau, Seymour, Smith of FRONTENAC, Smith of WENTWORTH, Stewart of BYTOWN, and Taché.--(27.)

NAYS.

Boulton, Cayley, Chalmers, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Jessup, Macdonald of CORNWALL, M'Connell, Merritt, Moffatt, Papineau, Petrie, Robinson, Scott, Sherwood of BROCKVILLE, Solicitor General Sherwood, Attorney General Smith, Solicitor General Taschereau, Viger and Woods.--(30.)

So it passed in the negative.

The Honourable Mr. Baldwin then moved, in amendment to Schedule B. 4, of the said Bill, seconded by Mr. Price, that the words "Vehicles carrying loads or passengers for hire, to pay on every time of passing if loaded, and if empty half toll, returning empty, having passed loaded free," in the said Schedule be struck out, and the following inserted in lieu thereof, viz:--"Vehicles carrying loads or passengers for hire, to pay on every time of passing if loaded, and if empty half toll, with right, (having so paid,) to return free."

The question having been put upon the said motion of amendment, a division ensued, and it passed in the negative.

The Honourable Mr. Moffatt moved, seconded by Mr. Chauveau, that the twenty-sixth clause of the said Bill be struck out.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Berthelot, Bouthillier, Cauchon, Chabot, Chalmers, Chauveau, DeWitt, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Moffatt, Morin, Nelson, Rousseau, Smith of WENTWORTH, and Taché--(25.)

NAYS.

Baldwin, Cayley, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Jessup, Macdonald of CORNWALL, M'Connell, Merritt, Papineau, Patrie, Price, Robinson, Scott, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Solicitor General Taschereau, Viger and Woods--(32.)

So it passed in the negative.

Mr. Merritt moved, seconded by Mr. Hall, That on all Canals the raw material be exempt from toll, when the manufactured article is subjected to toll made therefor, and returning the same way.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Ordered, That the said Bill as amended be Engrossed.

Quebec Relief Bill.

Mr. Armstrong, from the Committee of the whole House on the Bill for enabling Her Majesty to direct the issue of Debentures to a limited amount, and for giving relief to the City of Quebec, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table and agreed to by the House.

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On motion of Mr. Solicitor General Taschereau, seconded by the Honourable Mr. Attorney General Smith,

Ordered, That the following amendment be made to the eighteenth Clause of the said Bill: strike out the word "formalities" and insert the word "provisions."

Ordered, That the said Bill as amended be Engrossed.

Municipal Bill, (U.C.)

The Order of the Day for receiving the Report of the Committee of the whole House on the Bill to amend the Law now in force, establishing Municipal Authorities in Upper Canada, being read;

On motion of Mr. Smith of Frontenac, seconded by Mr. Macdonald of Cornwall,

Resolved, That this House do now again Resolve itself into a Committee of the whole House on the said Bill, for the purpose of adding the two following Clauses:

"And be it enacted, That for and notwithstanding anything in the thirty-seventh section of the said first recited Act, the District

Surveyor appointed by the Warden of any District, shall go out of office from the time his successor shall be appointed under this Act, and thereafter no District Surveyor shall be appointed by the Warden of any District. Provided always, that any present District Surveyor may be appointed to perform the duties of that office by the District Council."

"And be it enacted, That at their first Meeting in the year one thousand eight hundred and forty seven, the District Council shall appoint a proper person to be District Surveyor, and may from time to time remove him and appoint another in his stead, or may replace him. And the District Surveyor so appointed shall have all the powers, and perform all the duties assigned to the said District Surveyor by the Act aforesaid, and shall be subject to all the provisions thereof, in so far as may be consistent with this Act."

The House accordingly resolved itself into the said Committee.

Mr. Duggan took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duggan reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Mr. Macdonald of Cornwall moved, seconded by Mr. Sherwood of Brockville, that the said Bill be now re-committed, with the view of inserting a Proviso to the effect, that the alterations proposed in the manner of appointing the several Wardens, Treasurers, Clerks, and Surveyors, shall not affect the present incumbents.²⁰

MR. R. MACDONALD (Cornwall), moved that the clause transferring the appointment of the District Treasurer from the Governor General to the District Council, should have no effect upon present incumbents. It was urged that many of these officers, relying upon their situations being as they were first made, permanent, had forsaken lucrative employments, and would be put to severe loss if their holding was made determinable on the will of a politically constituted Council.²¹

MR. D. MACDONELL of Stormont, was surprised at the proceeding of the hon. member for Cornwall, who, when the bill was in Committee offered no opposition whatever. He (Mr. MacDonald of Stormont) maintained the necessity of all the officers of the District Council being elective, but more particularly the Treasurer; to prove this he would state the fact, that the Treasurer of the Eastern District has failed to account for the revenue of the District prior to the institution of the District Council, the auditors having reported two thousand and twenty-two pounds unaccounted for.²²

MR. R. MACDONALD of Cornwall, as an act of justice to an absent person, although that party was a political opponent, denied the truth of the charge that he was a defaulter. The only accusation against that officer was, that he had not placed to the credit of the Council, the gross total of the Assessment Rolls for the years he had been in office; whereas it was well known that the gross amount of an Assessment

could never be collected, on account of removals, absentees, and defaulters.²³

MR. D. MACDONELL, of Stormont, denied that he had used the word "defaulter." He merely stated the fact that the Treasurer had failed to account for the assessments previous to a District Council being established (sic), as was proved by the report of the Auditors; and he would add that the Treasurer also refused to allow the Auditors to examine into the cause of the deficiency.²⁴

MR. SHERWOOD, of Brockville, was in favour of the motion and opposed to the Officers being under the controul of the Councils; if it were so appointments would be regulated in every instance, and throughout the country, by the state of political feeling in the Council.²⁵

MR. D. MACDONELL of Stormont--The member for Brockville was not justified in imputing to him (Mr. McD.) that he was governed by political feeling in opposing the motion; 'such a statement was presumptuous and uncalled for. He hoped the House would not recommit the bill.²⁶

MR. J. S. MACDONALD of Glengarry was in favour of the District Treasurer being responsible to the Council, he wished all such Officers to be brought to their true bearing and did not fear that if they discharged their several duties satisfactorily they would in no instance be disturbed or interfered with from political feeling, (hear, hear) he was opposed ((to)) the motion.²⁷

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The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Cayley, Colville, Daly, Dickson, Attorney General Draper, Ermatinger, Foster, Gowan, Hale, Hall, Macdonald of CORNWALL, Moffatt, Monroe, Papineau, Robinson, Sherwood of BROCKVILLE, Attorney General Smith, Solicitor General Taschereau and Williams--(20.)

NAYS.

Armstrong, Baldwin, Berthelot, Cauchon, Chabot, Chalmers, Chauveau, DeBleury, Desaulniers, DeWitt, Duggan, Franchère, Guillet, Jobin, LaFontaine, Lantier, Laurin, LeMoine, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Merritt, Méthot, Morin, Scott, Smith of FRONTENAC, and Taché.--(29.)

So it passed in the negative.

Ordered, That the said Bill as amended be Engrossed.

Message from
Governor
General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of

the House being uncovered, and is as followeth:

CATHCART.

Supplementary
Estimate.

The Governor General recommends to the Legislative Assembly the accompanying Supplementary Estimate of Sums required for the service of the

present year.

GOVERNMENT HOUSE,
3rd June, 1846.

Supplementary Estimate of Certain Expenses of the Civil Government of the Province of Canada, for which a Supply is required for the year 1846.

SERVICE.	Amount Currency.		
£ s. d.			
Towards defraying a portion of the Contingent Expenses of the Administration of Justice in that section of the Province, late Upper Canada ...	6000	0	0
To reimburse to M. MacIver, Moneys advanced by his late Father, Evander MacIver, towards rebuilding the Bridge over the River Batiscan ...	23	15	0
To compensate the Mercantile Library Association of Montreal, for losses sustained in consequence of the removal of the Institution from the St. Ann's Market ..	200	0	0
For an allowance to cover the Travelling Expenses of the two Circuit Judges in the District of Quebec, at £30 each ...	60	0	0
To cover the amount due to certain persons for Road Work performed in the year 1837, in the Townships of Cornwall and Roxborough, under the authority of the Provincial Statutes 7 Will. IV. cap. 107, and 2 Vic. cap. 56 ...	58	17	0
For the payment of certain old claims outstanding against the original appropriation for works on the Ottawa ...	254	6	0
For the expense of erecting Log Huts as Stations on the Bagot Road, to afford shelter to Travellers in Winter ...	120	0	0
To meet the claims of Reed & Sheppard against the late Commissioners of the Cornwall Canal ...	1181	10	3
To indemnify the Lutheran Congregation of Williamsburgh, for the loss of Land originally set apart for their accommodation ...	500	0	0
<u>Carried forward</u> ...	£8398	8	3

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Supplementary Estimate of certain Expenses.--(Continued.)

SERVICE.	Amount Currency.		
	£	s.	d.
<u>Brought forward ...</u>	8398	8	3
To indemnify Messrs. G. S. Boulton and Z. Burnham, for moneys expended by them in the improvement of the navigation of the inland Waters of the Newcastle District ...	238	6	4
Further required to complete the London, Chatham, and Amherstburg Road ...	325	0	2
For the liquidation of the balance due on the amount of Debentures issued by the late Commis- sioners for the St. Lawrence improvements ...	339	8	9
To complete the Deepening of the Channel in Lake St. Peter ...	9500	0	0
To make good the Damages caused by the works carried on for the Improvements on the River Trent, in the Newcastle District ...	1500	0	0
Further required for the contingent Expenses attending the re-organization of the Militia of the Province ...	500	0	0
Further required to meet the expenses of the Commissioners on the claims for losses during the Political Troubles of 1837 and 1838, in Lower Canada ..	200	0	0
<u>Total ...</u>	<u>£21001</u>	<u>3</u>	<u>6</u>

W. CAYLEY,

INSPECTOR GENERAL'S OFFICE,

Inspector General.Montreal, 1st June, 1846.Return to Address.

The Honourable Mr. Daly, one of Her Majesty's
Executive Council, laid before the House, by
command of His Excellency the Governor General,

Public Depart-
ments.

Return to an Address from the Legislative
Assembly to His Excellency the Governor General,
dated the 11th ultimo, praying that His Excellency
would be pleased to cause to be laid before them. "The names of
all Officers employed in the Departments of the Inspector General,
Receiver General, Commissioner of Crown Lands, the Executive Council,
the Provincial Registrar, the Board of Works, the Attorneys General and
the Salaries of the said Officers respectively, and the dates of their
appointments--and also to be pleased to cause to be shewn whether such
Officers were employed permanently or temporarily; which of them are
employed temporarily, and which permanently, and how long they have been
employed temporarily or permanently."

(For the said Return, see Appendix Y.Y.)

Dorchester
Registry Office
Bill.

Mr. Cauchon, from the Committee of the whole House, on the Bill to establish a separate Registry Office in the lower part of the County of Dorchester, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Public Lands
Bill.

The Order of the Day for the second reading of the Bill to amend the Law relative to the disposal of Public Lands, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Dickson took the Chair of the Committee,²⁸

The 13th clause ... ((was)) read²⁹.

MR. J. S. MACDONALD of Glengarry, stated that he wished to protect the rights of the sons of U. E. Loyalists and old soldiers who had fought and bled for their country, by substituting another clause for the one now under consideration. Grants of land had been made to these parties, on condition of performing certain settlement duties; many of these individuals did not perform these duties, and in consequence the Government had declared these lands to be forfeited, while speculators who had purchased large tracts of land for almost nothing, have obtained patents from the Government, without being obliged to settle or to have any other person settled upon these lands. He (Mr. McD.) wished to place all parties having claims upon the lands of the Crown on the same footing, and to grant that to the descendants of those noble men who remained faithful in their allegiance to the Crown, and who bravely fought the battles of their country, which had been allowed to the favourites of the Government. He would also ask the hon. member for Simcoe, who had resided during the greater period of his life in the back settlements, whether the performance of these settlement duties had been at all advantageous to the country, whether in many places, the parties who had obtained the land on these conditions, did not cut down some of the large trees and allow the underbrush to remain as an impediment to all vegetation? In his District a land granting Board had sat, before whom many of the individuals, whose interests he advocated, had appeared, and had by the Board, been allowed to commute these settlement duties by doing a certain amount of work on the roads, which was as useful to the country as if they had ... performed the conditions imposed upon them. But now the Government refused to abide by this Act, and would not receive certificates of the performance of this work. He proposed therefore that all lands which were located and have been forfeited, but which have not been since sold, the locatees or their agents should be allowed to obtain these lands on the same terms as others.³⁰

MR. AT. GEN. DRAPER did not consider himself called upon to defend the acts of former Governments, but he would state that the reason why

the parties referred to were required to locate and take out their patents was, that an immense quantity of land in Upper Canada escaped taxation, because a patent was not obtained and the property described. Names were placed upon the map as having located in different parts of the country, who were found upon enquiry not to reside on these lands. To put a stop to the tricks that were played upon the Government, and to compel all parties who had located lands to take out a patent, they published a list of all located lands in every district, and called upon the parties interested to fyle their claims within a certain time, and to get a patent. A great many parties did come forward. A further notice was given, and the Government had every lot inspected to see whether improvements had been made upon any of them, so that the parties who had made these improvements should be recompensed for them; and then after 2 or 3 years more, the lands unclaimed were forfeited.--He (Mr. D.) considered that very few of the applications that were now made for these lands, were made by Upper Canada Loyalists or old soldiers, or their descendants, but that the vast number of them were made by speculators who had purchased their rights for almost nothing. The amendment will undo all that the Government have done for the last ten years, to put a stop to a great evil, and will leave it in the same state of uncertainty that it was before.³¹

MR. WILLIAMS considered that the Government had taken every precaution, so that they might do justice to the claimants.³²

MR. MERRITT, the settlement system has been of great advantage to many parts of the country, and he was sorry that it had not been continued. He was opposed to the amendment, as he wished to preserve some of the lands.³³

The amendment was put and lost.³⁴

DR. LATERRIERE ... proposa en amendement à ce bill que les terres sur lesquelles sont maintenant établis les habitants du Saguenay, fussent données à ceux-ci gratis, et que l'on ne fit payer qu'un schelling par arpent à ceux qui, par la suite, voudraient s'établir dans cette partie du pays.³⁵

On s'y opposa.³⁶

Un membre ... ((a)) lu à l'honorable commissaire des terres ce qu'il avait lui-même écrit sur l'état de pauvreté de la population du Saguenay, l'année dernière, et ... il ... ((a)) fait voir qu'il n'était que juste d'accorder aux infortunés d'une localité ce que l'on avait cru devoir accorder aux infortunés d'une autre localité, Gaspé.³⁷

MR. AT. GEN. SMITH demanda du temps pour réfléchir.³⁸

MR. PRES. EX. COUN. VIGER se leva pour prouver "que la chose n'était pas constitutionnelle qu'on ne pouvait rien introduire d'exceptionnel dans une mesure d'une nature générale, etc."³⁹

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*and after some time spent therein,
Mr. Speaker resumed the Chair;*

And Mr. Dickson reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Message from
Legislative
Council.

A Message from the Legislative Council, by
John Fennings Taylor, Esquire, one of the Masters
in Chancery:--

MR. SPEAKER,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Legislative Assembly:--

Montreal and
Kingston Rail-
road Bill.

"An Act to incorporate the Montreal and King-
ston Railraod Company."

Hamilton In-
corporation
Bill.

"An Act to alter and amend the Act incorpora-
ting the Town of Hamilton, and to erect the same
into a City."

And then he withdrew.

Supplemen-
tary Estimate.

Ordered, That the Message of His Excellency the
Governor General, received this day, on the
subject of the Supplementary Estimate, be
referred to the Committee on the Supply granted to Her Majesty.

The Order of the Day for the House in Committee on the Bill for the granting a Civil List to Her Majesty being read;

The Honourable Mr. Baldwin moved, seconded by the Honourable Mr. LaFontaine, that it be an Instruction to the said Committee, to strike out the words of the present Preamble, viz.:

Instruction to
Committee.

"Whereas Her Majesty has been graciously
pleased to declare her desire to owe to the
spontaneous liberality of Her Canadian People, a
Civil List sufficient to give stability and security to the great Civil
Institutions of this Province, and to provide for the remuneration of
able and efficient officers in the various Public Departments; and
whereas the granting of such Civil List is the undoubted right of the
Legislature of this Province," and insert in lieu thereof the following,
viz.:

"MOST GRACIOUS SOVEREIGN:

"Whereas Your Majesty has been most graciously pleased to declare to your faithful Canadian Commons, in Provincial Parliament assembled, Your Majesty's gracious desire to owe to the spontaneous liberality of your Canadian People such Grant by way of Civil List, as shall be sufficient to give stability and security to the great Civil Institutions of this Province, and to provide for the adequate remuneration of able and efficient officers in the Executive, Judicial, and other Departments of Your Majesty's Public Provincial Service, the granting of which Civil List constitutionally belongs only to Your Majesty's faithful Canadian People in their Provincial Parliament.

"We, therefore, Your Majesty's most dutiful and loyal Subjects, the Commons of Canada, in Provincial Parliament assembled, desirous that a

certain competent Revenue for the purpose may be settled upon Your Majesty, to whom may God grant a long and happy Reign, as a testimony of our unfeigned affection to your sacred Person and Government, have

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accordingly freely resolved to grant unto Your Majesty a certain Revenue, payable out of the Consolidated Fund of this Province, we do therefore most humbly beseech Your Majesty, that it may be enacted, and be it enacted."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Berthelot, Bouthillier, Cauchon, Cayley, Chauveau, Christie, Cummings, Daly, DeWitt, Dickson, Duggan, Gowan, Guillet, Hale, Jobin, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of GLENGARRY, M'Connell, Méthot, Morin, Papineau, Price, Robinson, Scott, Sherwood of BROCKVILLE, Stewart of BYTOWN, Taché, Solicitor General Taschereau, and Viger--(34.)

NAYS.

Boulton, Colville, Ermatinger, Foster, Macdonald of CORNWALL, Macdonell of DUNDAS, Moffatt, Petrie, Solicitor General Sherwood, and Smith of FRONTENAC--(10.)

So it was carried in the affirmative, and

Ordered, Accordingly.

Civil List Bill.

The House then resolved itself into a Committee of the whole House on the Bill for the granting a Civil List to Her Majesty.

Mr. Stewart of Bytown took the Chair of the Committee,

MR. INSP. GEN. CAYLEY added a clause to the bill to meet the objection of Mr. Baldwin that there was no provision for establishing a Consolidated Fund.⁴⁰

MR. MOFFATT and other members on the Ministerial side stoutly cried "No, no," against the adoption of Mr. Baldwin's amendment⁴¹.

(314)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Stewart of Bytown reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

Jews Privileges Bill,
(L.C.).

The Order of the Day for the House in Committee on the Bill to amend the Act of Lower Canada there-in mentioned, extending certain privileges to

persons of the Jewish persuasion, being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonell of Stormont took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Stormont reported, that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended by Engrossed.

Lunatic
Asylum Bill,
Toronto.

The Order of the Day for the second reading of the Bill to authorize the issue of Debentures for the erection of a Lunatic Asylum at Toronto, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

Spirituous
Liquors Duty
Bill.

The Order of the Day for the second reading of the Bill to repeal certain Acts therein mentioned, and to impose a Duty on Persons selling Spirituous or Fermented Liquors, or Keeping

Houses or places of Public Entertainment, and to provide for the collection of the said Duty, and for the regulation of such Persons, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Price took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Price reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

Jurors Sum-
moning Bill,
(L.C.).

The Order of the Day for the second reading of the Bill to facilitate and regulate the Summoning of Jurors in Lower Canada, being read;

MR. PRES. EX. COUN. VIGER disait ... que ... ((ce)) bill ... était "de la plus grande importance, puisque par ce bill il venait au secours des sujets de Sa Majesté, dont la vie et la liberté étaient en danger."⁴²

(314)

The said Bill was accordingly read, and committed to a Committee of the whole House to-morrow.

Public Timber
Lands.

The Order of the Day for the House in Committee, to consider whether it would not be expedient to prevent the sale of Timber from off the Public

Lands, being read;

The House accordingly resolved itself into the said Committee.

Mr. Hall took the Chair of the Committee.⁴³

DR. LATERRIERE.--J'ai donné notice l'année dernière que j'agiterais durant la présente session la question qui est actuellement sous la

considération de cette chambre.

Je prévois que cette question va soulever contre moi toute l'aristocratie mercantile, tous les grands et petits potentats qui s'enrichissent des dépouilles de nos forêts.--J'avoue M., et je ne me déguise pas que pour renverser cet ordre de chose tout mauvais qu'il soit, il faut être prêt à le remplacer par un meilleur, car le commerce, que cela alimente, ne doit point être arrêté mais modifié seulement. Les fraudes de toutes espèces qui se pratiquent et se trouvent liées à cet état de chose demandent un remède; mais je sais aussi que pour faire disparaître un abus, il faut éviter de tomber dans un abus plus grand. Je déclare donc que mon motif est de chercher, de trouver un remède à ce chancre qui dévora nos forêts, et s'il n'est point possible de l'extirper tout à fait, au moins l'empêcher de dévorer aussi promptement qu'il le fait à présent une de nos principales ressources commerciales.

Je commencerai donc par demander en vertu de quelle loi, ou règlement ou ordre en conseil le commissaire des terres de la couronne se croit autorisé à vendre les bois sur les terres publiques? Je ne vois rien dans l'acte des terres qui lui donne ce pouvoir.

Ce monsieur va probablement répondre que tel était l'usage avant lui, ou que ce droit découle de la prérogative royale.--Ce mot sacramental peut avoir force de loi pour autoriser ce monsieur, ou le représentant de la reine, qui ne devrait être que la gardienne, l'administratrice en bonne mère de famille du bien de ses enfans (sic), j'avoue que comme colon, ne pouvait point l'en empêcher, je n'ai plus rien à dire, puisque les colonies, nous dit-on tous les jours sont tenues exclusivement pour l'utilité et faire le bien être des empires auxquels elles appartiennent.

Mais est-ce bien dans l'intérêt de l'Angleterre qui a besoin essentiellement de nos forêts de permettre leur dévastation pour faire la fortune de quelques spéculateurs seulement? Je demande franchement à cette chambre qu'est-ce que le pays y gagne?

Remontons à la source de cette pratique destructive qui ne date pas de loin pour le Bas-Canada.

Sir John Caldwell, défalcateur de la province de cent mille louis, après avoir ruiné ses domaines par des entreprises sans mesures et fait disparaître l'énorme somme de ces cent mille livres en bâtisses de moulins, écluses, etc., fut à la fin obligé de rendre compte de son administration comme revenu général. Je n'essayerai pas de mettre sous les yeux de cette chambre toutes les iniquités qu'une enquête sur les gaspillages de cet époque fit découvrir (le Canada est le pays par excellence de toutes les iniquités) cette enquête consignée dans les journaux de la chambre fait partie de l'histoire politique et administrative du gouvernement corrompu de cette province.

Je laisse à d'autre à décider si notre charmant régime responsable n'est pas sous une autre forme la queue de cette comète administrative qui planera encore longtemps sur nos têtes? Mais toujours la vente des bois sur les terres publiques date de cette époque.

Il fallait alors trouver le moyen de mettre à profit tous les moulins

à scies que ce monsieur avait fait ériger avec l'argent de la province pour, disait-on, s'en faire payer. Ce moyen fut de lui vendre la tonsure des bois partout où il avait cru expédient d'ériger des moulins. Fut créée à peu près à cet époque le département des terres de la couronne. Felton en fut nommé le chef, et M. Davidson, beau-frère de M. Caldwell, l'assistant. Voyez l'heureux enchaînement! Je pense que sir John Caldwell n'a pas plus payé cette tonsure qu'il a payé les cent mille louis qu'il devait alors à la province. Tout le vaste district en arrière de la rivière du Loup fut mis à sa disposition. J'en appellerais au monsieur qui représente ce district, il est maintenant absent, s'il serait possible d'y trouver à présent du bois propre à couvrir de misérables bâtisses, et si l'exploitation de ces forêts n'a pas empêché les gens d'y prendre des terres et de s'y fixer?

Voilà je crois comme a commencé la vente des licences pour prendre du bois sur les terres publiques, et partout où ce commerce s'est et se fait encore, c'est la même destruction et la même objection pour s'y fixer et se livrer à l'agriculture.

Voilà je crois en peu de mots d'où part l'usage de permettre le pillage, la dévastation, le vol en un mot des forêts des habitants de cette province. L'origine de cet usage découle donc d'une mauvaise administration, du vol même. Les fraudes, dignes filles de cette paternité, que le gouvernement actuel tolère, sans avoir la force ou la volonté de vouloir les arrêter, sont connues de tout le monde, particulièrement de leur confrère, l'éditeur du Times de Montréal qui, dans des remarques prématurées et l'opinion qu'il a énoncée sur ces résolutions, et dont néanmoins je le remercie a bien voulu me mettre en scène dans sa feuille du 15 du mois dernier, comme père en législation d'enfant sans espèce connue. Si les fraudes sont des enfants légitimes, je laisse M. l'éditeur et tous ceux qui ont le même goût à les réclamer. Pour moi, je crois qu'il est grandement temps pour cette province de les répudier et de les faire disparaître de notre code forestier, si code à cet égard nous avons.

L'on va me dire sans doute, "vous voulez (sic) donc anéantir la seule ressource commerciale du pays. Vous voulez aussi le free trade dans les bois. Vous voulez fermer la porte à 15 cents vaisseaux qui viennent vous enrichir en emportant votre bois. Vous voulez semblablement fermer la porte à 25 à 30 mille matelots qui viennent ici manger le surplus de vos produits agricoles en vous bien payant?

Je réponds à tout cela que je tiens à ce commerce autant que qui que ce soit, ni ne veux en rien en diminuer les avantages. Je voudrais seulement en changeant la manière dont on dispose des bois, faire disparaître, si c'est possible, le monopole qu'exercent une cinquantaine, une centaine de maisons tout au plus qui se sont emparé exclusivement de ce commerce de toutes les terres publiques de la province, qu'elles exploitent au moyen de cent mille bras qui se trouvent ainsi perdus par l'agriculture. La vie errante de ces hommes et les habitudes qu'ils contractent dans les chantiers les démoralisent et les rendent impropres à toutes autres espèces d'occupations. J'en appelle franchement aux membres de cette chambre qui vivent dans des districts où se fait ce commerce, et je leur demande si l'expérience de tous les jours ne

confirme pas mes dénonciations sur son immoralité; et si ces districts ne sont pas en outre dévastée à pur perte pour l'avenir commercial du pays?

M. le commissaire des terres de la couronne, que je ne vois pas à sa place, nous dirait sans doute, comme l'année dernière, que nos forêts sont inépuisables et que c'est le moyen d'ouvrir les terres à l'agriculture!

Que l'on se donne la peine de voyager sur le bord des rivières où l'on a fait en fait encore ce commerce (par exemple sur les bords de l'Ottawa jusqu'à 100 lieues dans l'intérieur et à 15 à 40 milles sur ses parties latérales) l'on y verra des forêts dévastées, des campemens de bûcherons abandonnés mais point de défrichemens, point d'établissements permanents sur ces terres ruinées.

Ce qui se voit, ce qui se passe sur les bords de l'Ottawa est un échantillon de ce qui se fait sur toutes les rivières tributaires du St. Laurent; si bien, que si la législature ne met pas fin à ces déprédations, dans moins de 25 ans ce commerce d'exportation cessera faute de bois. N'avons-nous pas l'exemple des Etats-Unis où pour avoir suivi le même système de dévastation, sous le prétexte d'un revenu public, le bois s'y vend plus cher qu'en Angleterre? Ne devons-nous pas mettre en compte la destruction à pure perte d'une grande quantité de bois inférieur que l'on renverse par ce genre d'exploitation? ce qui causera des incendies comme à Miramichi, dans plusieurs sections du Haut-Canada, et tout dernièrement encore au Saguenay! Avant ces grandes exploitations des bois, entendait-on jamais parler de semblables conflagrations?

De plus, dans un pays où on n'a pas encore découvert de charbon de terre, où nous n'avons pour nous défendre contre six mois d'hiver que notre bois, ne devrions nous pas par un acte de cette chambre en régler la reproduction plutôt que d'en permettre la destruction? Le bois de poêle pour les citoyens des villes et même de bien des campagnes est devenu une taxe, une dépense énorme; et combien de pauvres familles en souffrent? et les planches et madriers pour la construction de nos maisons se vendent un prix exorbitant.

Il est fâcheux d'entendre dire que pour la considération de quelques mille livres qui se mangent en frais d'administration dispendieuse, un gouvernement puisse permettre que l'on enlève de ses forêts, sans qu'il puisse s'en faire rendre compte autrement, des quantités de bois, des valeurs qui dans presque tous les cas excèdent de dix, de vingt fois la quantité vendue ou l'argent qu'il reçoit de la vente de ces licences. Quel gaspillage, quels vols?

Que l'on se fasse une idée des dégâts que commettent des centaines de bûcherons par chantier employés dans les limites imaginaires, à couper, gaspiller ce qui en d'autres mains plus économes servirait à leur donner les moyens d'ouvrir et d'établir ces terres.

Ce système de dévastation n'avance pas l'ouverture des terres, mais au contraire ceux qui s'y livrent s'endettent, n'ont point le temps de travailler pour eux, comptent sur ce gain illusoire pour faire vivre leurs familles:--ce commerce cessant par défaut de bois, qui ne se

reproduit pas comme les grains de toutes espèces: c'est alors autant de familles qui tombent dans la misère, qu'un autre système de colonisation aurait fait prospérer.

Le remède à ces déprédations serait de vendre les terres et les bois tout ensemble. L'exploitation des bois comme cela se pratiquait ci-devant dans le Bas Canada, donnerait les moyens d'ouvrir graduellement les terres. Ce serait de les vendre par lots de cent acres à ceux qui les défricheraient et s'y établiraient.--Par lots de dix, de vingt, 30 à 50 mille acres à des spéculateurs pour y faire le commerce des bois, mais à la condition qu'on leur imposerait de les revendre par lots de cent acres à un chelin ls. 6d. l'acre après un certain nombre d'années, à la condition en outre que celui de ceux qui achèteraient de ces spéculateurs, seraient obligés dans l'espace de 3 ou 4 ans d'ouvrir, de défricher douze arpents en superficie sur chaque lot et d'y bâtir une maison, grange, etc., sans quoi le contrat serait nul. Si l'acquéreur d'un grand lot ou d'un township refusait de vendre à ces conditions, ces terres seraient réunies au domaine du roi.--Ce moyen de disposer des terres laisserait au commerce sa même latitude; il le bornerait seulement dans de certaines limites et assurerait aux cultivateurs des terres à meilleur marché.

Ce sont des opinions que je sou mets bien humblement à la considération de cette chambre; elles sont fondées sur 20 ans d'expérience et d'observations.

C'est ma conviction que, sans l'adoption d'une mesure pour restreindre les déprédations que je viens de signaler, l'avenir du pays se trouvera sérieusement compromis par un semblable commerce.

Je ne m'attends par à ce que cette chambre adopte ces résolutions au premier abord--je ne lui ai sou mises que pour soulever une discussion qui pourrait conduire à la découverte et à l'adoption dans une prochaine session d'un remède effectif à ces déprédations.⁴⁴

MR. PRES. EX. COUN. VIGER se leva pour revendiquer les droits de la couronne, et dit qu'il était essentiellement de la prérogative royale de vendre ces bois.⁴⁵

(314)

and after some time spent therein,

Mr. Speaker resumed the Chair.

The Honourable Mr. LaFontaine moved, seconded by Mr. Jobin,

*Orders of
the Day.*

*That the remaining Orders of the Day, be
postponed until to-morrow.*

*The question having been put upon the said
motion, a division ensued.*

Yeas.....19.

Nays.....13.

So it was carried in the affirmative, and

Ordered, Accordingly.

Then, on motion of the Honourable Mr. Viger, seconded by Mr. Cauchon,

The House adjourned until to-morrow at Eleven o'clock, A.M.

APPENDIX, 3 JUNE 1846.

((NOTICE OF MOTION RE: ADDRESS TO HER MAJESTY COMPLAINING
OF COLONIAL POST OFFICE DEPARTMENT.))

MR. GOWAN gives notice, that he will, on to-morrow, move that an humble Address be presented to Her Majesty the Queen, upon the subject of the Post Office Department in this Province, and which Address will be in substance as follows:--

We, Your Majesty's Faithful and Loyal Subjects, the Legislative Assembly of the Province of Canada, in Provincial Parliament assembled, humbly beg leave to approach your Majesty, and to renew the expression of our sincere devotion to Your Royal Person and Government.

We feel duly sensible of the attention which Your Majesty, and Your Illustrious Predecessors, have ever bestowed upon all complaints emanating from the Representatives of Your Faithful Subjects in these Colonies, and we are, therefore, the more emboldened in approaching Your Royal Throne, and in soliciting Your Gracious consideration to a subject which has, for many years, been one of deep anxiety and regret, to all classes of Your Majesty's Canadian People:--we allude to the management of the Post Office Department of the Provinces of British North America.

We should be truly sorry to urge upon Your Majesty's consideration, any measure which we believed could tend to weaken or disarrange the ties which bind the People we have the honor to represent, in dutiful allegiance to the Parent State, but we humbly conceive that the continuance of Officers in the direction of so important a Department of the Public Service as the Post Office, and one so nearly connected with all pursuits and avocations in the Colony, who are wholly irresponsible to Your Majesty's Representatives, in British North America, as well as to Colonial Public Opinion, cannot fail to lead to numerous abuses, unknown to the Chief of the Department in London, to create discontent in Canada, and to place Your Majesty's Subjects here, in a position of inferiority to their fellow Subjects in Britain, and to the Citizens of the neighbouring States, whose Republican Institutions they have no desire to imitate, but whose management of their Post Office affairs, leaves your Majesty's Subjects here, much to envy.

We humbly implore Your Majesty, that the Deputy Post Master General, and the other Officers appointed to conduct the affairs of the Department in this Colony, may be appointed by and be made subject to Your Majesty's Representatives in this Colony, receiving, from time to time, such Instructions as the Chief of the Department in London may think fit to communicate for their guidance. And until the necessary arrangements may be made by Your Majesty's Government, to carry out this, our respectful, but earnest application, we further desire that the future Salary to be paid to Mr. Stayner, the present Incumbent, may not exceed the sum of £1000, Provincial Currency, per annum,--an amount which we believe to be adequate compensation for the duties performed, and fully as high as Public Opinion will sanction.

Your Majesty has been already graciously pleased to grant to Your Representatives in this Colony, the privilege of nominating Officers to some of the inferior situations in the Department, amongst which was the appointment of Post Masters; but even this concession, (which was received very graciously,) has been practically denied, by the power being still withheld of appointing the place at which subordinate Post Offices should be held,--a power which is now exercised by a class of Officers called Surveyors, in a manner often detrimental to the Public interest, and at all times without reference to Public responsibility.

The Regulations in reference to Colonial Literature generally, and especially regarding Newspapers, are not such as the liberal spirit of the age sanctions, and are highly dissatisfactory to Your Majesty's Colonial Subjects. Upon this subject, Your Majesty's faithful Subjects, would further represent, that by the Regulations formerly in force, Post Masters were permitted to send notice, free of postage, to the Proprietors of the Newspaper Press, signifying to them the "refusal" to receive the Papers on the part of individuals to whom they were addressed, or that the Papers were "not called for," or otherwise, as the case might respectively be, while, at present, this privilege has been taken away, and Newspapers may continue to be addressed for years, to parties, by whom they have been refused, and who decline to pay for them in consequence of such refusal; thus subjecting the Newspaper Proprietors not only to the greatest ignorance and uncertainty, but to positive loss of property, and manifest injustice. Wherefore, it would be the anxious desire of Your Majesty's Canadian subjects, that Post Masters should be permitted to return to the Newspaper Office, (free of postage,) all Papers not taken out of the Office by the party to whom they may be addressed, with the cause of their not being so taken out written thereon. And also, that the former practice of permitting "Exchange" Newspapers, to pass through the Post Office, to the Newspaper Offices to which they may be respectively addressed, free of postage, should be again put in force. The Postage on Letters and Packages is enormously high; it is not in accordance with Public Opinion, and is such as to leave Your faithful People in these Dependencies of your Empire, far behind their fellow Subjects in the British Isles, and inferior to the Citizens inhabiting the neighbouring Republic.

The small amount paid to local Post-masters in the several rural Districts of the Province, for the duties they are required to perform, but ill assorts with the enormously disproportioned sums paid to the Colonial Head of the Department, and to those other Officers immediately connected with him, and which large salaries and allowances, could, as your faithful subjects conceive, be more equitably apportioned, in granting fair and reasonable compensation to the Officers engaged in the outer Branches of the Establishment, and in extending the Postal arrangements of the Country.

ADDRESS.

To the Queen's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY:

We, Your Majesty's dutiful and Loyal Subjects, the Commons of Canada in Provincial Parliament assembled, sensible of the desire of Your Majesty at all times to listen favourably to every suggestion which may have for its object the convenience and welfare of Your Subjects, in every portion of Your Majesty's widely extended Dominions, beg leave to represent to Your Majesty that while we thankfully acknowledge the great benefit, that has been conferred on the Inhabitants of the North American Colonies, by the establishment of a regular conveyance by Steam, of the mails between Great Britain and America, we would respectfully call the attention of Your Majesty's Imperial Government to the necessity of providing for their more frequent transmission during the winter months.

We need scarcely remind Your Majesty, that mainly depending as the Inhabitants of these Colonies do, on the intercourse with the Mother Country, for their social happiness and commercial and agricultural prosperity, it is an object of the greatest importance to them, that every facility should be afforded to it; and that between the first of December and the first of April, when but one mail per month is despatched to and from the two countries, the necessity for a more frequent communication is particularly felt. It is during that period all the surplus produce of the country is purchased and prepared for the British markets, and the prices here of our staple commodities being regulated entirely by those in Britain, both buyer and seller require the earliest notice of any change that may take place in the markets of Europe, to prevent in many cases serious losses to the one or to the other.

We would also urge as a further reason for the favourable consideration of our request, the fact, that during the winter both Your Majesty's Imperial Parliament and Colonial Legislatures, are generally in Session, and that it is highly desirable in many instances, that more frequent intercourse should take place between them, than once a month.

Taking these circumstances into consideration and many others which, if necessary, might be mentioned, we humbly hope Your Majesty will be graciously pleased to cause the necessary measures to be adopted for insuring to Your Loyal Subjects in these Provinces, the transmission of the Mails at least twice a month during the whole year.

Intimately connected with the foregoing, is the excessive high rates of postage which Your Majesty's Colonial Subjects are compelled to pay by the Imperial Government, without any reference to the Local Legislature, and they deem it imperative on them to beseech Your Majesty, promptly to take the same into Your gracious consideration.

We feel assured that Your Majesty will at once admit the hardship of British Subjects in one portion of the Empire, being compelled to pay extravagantly for that, which by others, is enjoyed at a merely nominal charge; as, while in Britain a letter may be sent to any portion of that country for one penny, the inhabitants of Canada are forced to pay, from four-pence half-penny to one shilling and four-pence Provincial Currency, for a single letter within the limits of the Province,

although at the same time, they can send a letter from any part of Canada to Britain, by Your Majesty's Royal Mail Steamers, for the last mentioned sum.

The Government of the United States, anxious to relieve their citizens from so vexatious a burthen have, within the last year, reduced the rates of Postage in that Country, from a standard similar to that still imposed upon us, to the more moderate charge of 2½d sterling on a single letter, for a distance of 300 miles and five pence for any distance beyond that. And we can assure Your Majesty, that so great a boon enjoyed by a people living in their immediate vicinity, causes the inhabitants of Canada to desire, with increased earnestness, the favourable consideration of Your Majesty's Government, on a question of so much importance to them.

We therefore humbly pray, that Your Majesty will be graciously pleased to direct that a reduction in our rates of Postage may take place without delay; and if not to the extent enjoyed in the mother country, at least not exceeding the charge now made in the United States.

We state with confidence that the high rates of Postage, now exacted, is a serious charge on the social and commercial intercourse of the Colonies, and that in order to evade it, much of the correspondence is conveyed by private individuals, to the serious loss of the revenue.

We are prepared to hear it objected, that the reduction asked for will cause such a diminution in the Revenue of the Post Office, as might seriously impair the efficiency of that Department.--But when it is considered, that large sums are now annually paid for postage on account of the Public Service, we respectfully submitted (sic) to Your Majesty; that both the Imperial and Colonial Governments might, with justice, be called upon to pay a fair proportion of any deficit that may be caused by a reduced rate, believing that the revenue from the great increase in the number of letters sent by Mail, will, in a short time, be found sufficient to meet the expenses of the Department.

We would also suggest, the propriety of relieving the Press from the charges which now bear heavily upon it, by allowing exchange newspapers to be sent by mail, free of postage, and remittances to Editors in payment of their papers, to be transmitted by Post Masters without charge, as is the case in the United States (sic).

We take this occasion to renew to Your Majesty the assurance of our sincere attachment to Your Majesty's Person and Government.⁴⁶

((NOTICE OF MOTION RE: SEIZURES AT TORONTO.))⁴⁷

MR. BOULTON gave notice of a motion for an address to His Excellency praying for information regarding certain seizures made at Toronto⁴⁸, on account of false entry.⁴⁹

MR. AT. GEN. DRAPER was very glad to hear this notice, because the information would disabuse the hon. member of the false impressions on this subject, which his previous remarks showed that he entertained.⁵⁰

((WITHDRAWN MOTION RE: COLLECTOR OF CUSTOMS AT DICKINSON'S LANDING.))⁵¹

MR. R. MACDONALD (Cornwall) wished now to call attention of the House to a matter of some importance to the District which he represented.--It was but yesterday that he was made aware that Dickinson's Landing had been made a Port of Entry and Mr. McGregor appointed to the situation of Collector there. He knew nothing about this matter until on the day before, he had seen it mentioned in the public print, and his object, now, was to learn from the Administration, whether they could defend the arrangement as a necessary one.⁵² He did not know what necessity there existed.⁵³ It was well known that the duties at Dickinson's Landing were formerly Collected at Cornwall,⁵⁴ by a deputy under the collector at the port of Cornwall⁵⁵, of which port Dickinson's Landing had formed part. Lately, however, a Collector had been appointed at St. Regis,⁵⁶ within 3 miles of Cornwall⁵⁷, with a heavy Salary to do, what had formerly been done by the establishment at Cornwall; and now in addition to this charge, another Collector had been named for Dickinson's Landing,⁵⁸ with a large salary, to perform the duties that had been theretofore performed by⁵⁹ Captain Bullock who had been the Landing Waiter⁶⁰ at a small salary of £50. He did not know that there had been any complaints against the manner in which the duty was performed, nor did he know that any complaints could be made. He supposed that Mr. McGregor, was not appointed to the office for a smaller salary than he had received at Kingston, which he had understood was £150; he did not think that he would accept it, at a smaller salary for the mere honour of being called a collector, instead of some subordinate officer. He believed that the amount of duties for 3 years had not exceeded £100, annually, so that two hundred would be actually paid to collect £100. If this was the case, he did not think that the chance should be taken from an old and valuable officer ... of having his salary increased.⁶¹ Mr. Woods the collector of the Port of Cornwall was well known to be one of the first men in the Country--his name was another name for probity and honour⁶², efficiency and gratuity⁶³. The effect of the late appointments was to decrease the emoluments of this valuable servant. He understood that the Collectors were, as a rule, to be remunerated according to the amount of their collections; and therefore⁶⁴ the making of Dickinson's Landing a port of entry, would have the effect of reducing the amount of collections at Cornwall, and thus decrease the amount of salary to be received by the collector and Mr. Woods had given up his mercantile business for the express (sic) purpose of being able to perform his duties as a public officer the more satisfactorily. He thought that if Mr. McGregor was to be rewarded, and he would admit that some provision ought to be made for him because he considered him an injured man, yet it ought not to be done at the expense of an old and valuable public officer, against whom no complaints had nor could be made.⁶⁵ Independently of this, there was the accumulation of all these offices at an expense to the public revenue; for if the duty was efficiently performed before there could be no necessity for the change and if it were

not, no doubt, complaints would have been made. He had another remark to make relative to this appointment. It was perhaps in some measure a personal one.--⁶⁶ He would not say that the supporters of the Government ought to be consulted in reference to all the appointments to be made in their respective districts, but⁶⁷ he thought that the Administration might consult, in such matters their own friends who constantly supported them. It was perhaps because they did not do so, that they were not supported as they otherwise might be.⁶⁸ It was generally supposed that they were consulted, and ((he)) would take this opportunity (sic) of disabusing the public mind on this subject, he would state that the present Government did not consult their supporters on such occasions whether they consulted gentlemen on the other side of the House he was not prepared to say, if that was the case, and the Government expected to derive any support from rewarding and buying over their opponents, he would tell them it would be a rotten support;⁶⁹--it was worse than none at all (laughter.) He spoke feelingly on this matter (increased laughter.)⁷⁰ They would be far better supported, more readily supported, than they are at present if they in return supported their friends and not their opponents.⁷¹ Il a dit aux membres de l'administration "que c'était uniquement pour faire du patronage; que pour lui il avait trop supporté l'administration, que s'il se fut montré un peu plus douteux, peut-être serait-il placé maintenant!"⁷² He could not see any necessity for making Dickenson's Landing a port of entry.⁷³ Under all the circumstances he moved for an humble address to His Excellency, praying for all papers and correspondence relating to the recent appointment of Mr. McGregor as Collector at Dickinson's Landing.⁷⁴

MR. INSP. GEN. CAYLEY must say he was taken by surprise by the attack made upon him by the hon. member for Cornwall, as that hon. gentleman had done nothing more than give notice of his intention to move for an address. He would however mention the facts connected with this matter; and first he would remark that though there had been a change in the Custom House arrangements, there had been no increase of expense. Mr. Meilleur⁷⁵ who had for some time acted at Toronto as Surveyor, with great advantage to the port had been recently removed to Kingston, where it was thought his superior knowledge would be of advantage among a number of junior officers who were in the office of that City. Mr. McGregor's services were therefore rendered unnecessary and he was accordingly moved down to Dickinson's Landing.⁷⁶ He certainly would not receive a less salary than he had when at Kingston.⁷⁷ Thus it appeared that the whole difference in the customs establishment consisted in Toronto having spared one of its officers who received no greater, nor no less salary than he had heretofore done. He did not think, however, with the hon. member for Cornwall that the value of an officer's services ought to be estimated solely by the amount collected. It was a still greater object to facilitate the business of the neighbouring back country, so as to enable the inhabitants to bring their produce to the place of shipment, without going out of the way to more distant ports⁷⁸, ((and)) to prevent smuggling⁷⁹. Cobourg and Port Hope harbours, although near to one another, were yet examples of the advantages of numerous Ports.⁸⁰ The very argument used by the hon. member

for Drummond, in reference to the commissariat supplies, was that you could prevent smuggling owing to the distance from one port to another, and the coast being unprotected. He stated that it had been called for owing to our proximity to the states and the great increase of business.⁸¹ If the ... ports, where officers were stationed, were ten miles apart no protection could be afforded, because cargoes could be landed in the intermediate places. But by increasing the number of ports not only greater vigilance was secured, but cargoes were brought through the Custom House, which would have been smuggled if the importers had had farther to go to reach a legitimate place of discharge. He bore willing testimony to the (sic) competency of the Collector at Cornwall, and he would assure the House that no diminution was to take place in his salary. In fact that was guarded against by the law, even though a decrease should take place in the amount of duties collected. He did not, however, anticipate any such decrease: on the contrary, hitherto notwithstanding the increases of Ports of Entry, the revenue collected at Cornwall had gone on likewise increasing.⁸² He said that he did not look upon the amount collected as any proof of the value of the Port. Lachine for instance has been created a port of entry not because any collections would be made there, but because smuggling was there carried on to a great extent, and that it would be of immense advantage to the Port of Montreal.⁸³

MR. J. S. MACDONALD, (Glengarry) complained that Mr. McGregor should be brought down to Dickenson Landing with £150 a year, while Mr. Woods at Cornwall had less than £100.⁸⁴ ((He)) stated that boats only called at Dickenson's Landing going up. The officer at Cornwall has always been considered very efficient, and now by this appointment, his chance for an increase of salary, will be taken away from him. It appeared to him that favourites always come better off and get larger salaries than old and tried officers.⁸⁵

MR. SOL. GEN. SHERWOOD, hoped that the motion would be withdrawn as it appeared to him that the answer of the Inspector General had been highly satisfactory.⁸⁶

MR. MOFFATT said, that though there might be some convenience in having a great number of ports, and though, in this particular case, there might be no additional cost in the arrangement, yet he did conceive that this advantage might be bought too dearly. Instead of increasing the number of officers, the proper mode to check smuggling was to divide the proceeds of seizures, so as to give a large portion to the informers.--There was a bill to effect this before the House, but was deficient in this respect, that it did not establish with sufficient security the amount to be given by Government to the informers, instead of leaving the distribution to the Executive.⁸⁷

MR. INSP. GEN. CAYLEY explained--It was not the intention of the Government to make any revenue from the proceeds of seizures; but they intended to leave the apportionment of them to the Executive according to the circumstances of each case.⁸⁸

MR. BALDWIN: So ready is the hon. Inspector General with his figures, that he has been termed by his hon. friend from London, the "figure head" of the administration, even if his figures could have availed him in this instance, he would have given us them, but they could not. The explanation has been termed satisfactory⁸⁹ by the hon. member for Montreal⁹⁰, but it did not appear so to him⁹¹. Whatever might be said about the arrangement between Toronto and Kingston it was clear that £150 a year were to be given for duties formerly performed for⁹² £50⁹³ merely to make a place for Mr. McGregor.⁹⁴ He considered that it was a substantial increase of the public expenditure. It was in his opinion one of those jobs for which the present administration are so famed.⁹⁵ The only argument adduced by the hon. member for Huron, was, that the rate of emolument was not to be estimated by the amount of collections. He believed it was intended by this appointment to compensate Mr. McGregor for some supposed injustice done to that gentleman; but he would have thought that the honble. Inspector General might here provided for him long ere this, if this injustice were real, in the very place he had lost on account of his incompetency. The honble member for Huron was usually so very ready with his figures that he (Mr. Baldwin) thought there must be something which could not be supported by figures, or the House would have had the necessity for this arrangement illustrated by arithmetic.⁹⁶ He thought that they have had many opportunities of providing for Mr. McGregor, without doing so at the expense of an old and valuable officer. The Collector of Cornwall, was well known, and he could say that a more respectable man could not be found in the whole Province. He would ask if it was to be said that it was a matter of no moment, that all chance of an increase of salary was taken away from the Collector of Cornwall merely to make way for a favorite. For his part there never was a case, in which papers were required to be produced, more than in this one and as it was well known, that he had very little confidence in the present administration, he would vote for the present motion, if only as a vote of condemnation of their conduct.⁹⁷

MR. BOULTON was glad that this matter was brought forward, and he was ready to support the Ministry in it.⁹⁸ ((He)) thought it quite proper to make Dickenson's Landing a port of entry, because of its proximity to Ogdensburg.⁹⁹ A person wishing to enter goods at Dickenson's Landing must before have gone down to Cornwall.¹⁰⁰

MR. R. MACDONALD, he could enter then with the deputy.¹⁰¹

MR. BOULTON ((resumed:)) The explanation given was sufficient to show that the Customs Department was overburdened and that this arrangement had been made to provide for a person who was not wanted in his old situation.--¹⁰² ((He)) stated that he was glad that Mr. Meilleur had been removed from Toronto, his appointment there gave great dissatisfaction as it was generally considered that he was sent there as a spy over an officer who was above suspicion, and now that he is no longer required, he was removed to Kingston perhaps for the same

purpose. He said that he had no great confidence in the customs department from a fact which came under his own immediate observation. A seizure was made of a quantity of¹⁰³ tobacco and other goods¹⁰⁴, that were said to have benetered (sic) at St. Johns, but it was generally supposed that the certificates were forged. Actions were brought against the seizing officer, and dismissed, yet by the unwarrantable interference of the Government, he was forced to return the goods that remained unsold, and the officer was compelled to disburse the amount received for the goods that had been sold, although he was perfectly satisfied that the certificates had been forged.¹⁰⁵

MR. GOWAN asked, if this was a job, who was benefitted? Who was injured? Mr. McGregor had no advantages, and if the Ministry were so profligate as to perpetrate a job, was it to be supposed for a moment that they would perpetrate it, at the expense of one of their own supporters. As to the assertion that this arrangement had been made to create an office for Mr. McGregor, he would say that he had a letter in his pocket from that gentleman, in which he expressed his disapprobation of the appointment which obliged him to give up a situation which he very much preferred to the one now given him. The fact was, that Dickenson's Landing being situated at the end of the Long Sault, was the highest point to which the river was navigable. Now, a new line of Steamers was just about to be established from Ogdensburg to that place, and it was consequently one of the most likely places for attempts at smuggling to be made.--At such a place it was necessary to have--not a Deputy but a principle to guard the interests of the revenue. The honble. member for Toronto had remarked that he had little confidence in the Customs Department to which he (Mr. Gowan) would only reply by asking that gentleman to look at the difference between the management of that department now and a few years ago.--He mentioned the Port of Maitland which every body allowed to be necessary, and which, yet, was not more than six miles from Brockville, and five from Prescott, show the necessity of these new ports.¹⁰⁶

MR. INSP. GEN. CAYLEY, thought that a few days before his figures had been received with impatience, by the hon. member for the fourth riding, but as he had spoken of them he would now refer to a few, to shew that they would bear out his argument. In 1842, the port of Cornwall had produced £148. In 1843, £226 in 1844, £300 and in 1845, £660. So that at least Cornwall had not been injured by the establishment of other ports. The new ports established in the immediate neighbourhood had propuced (sic) as follows.¹⁰⁷

	1842.	1843.	1844.	1845.
St. Regis	£ 490
Dundee	£830	£ 1260
Maria Town.	...	£107	£233	£ 549 ¹⁰⁸

The whole increase on the revenue derived from the inland customs department during the last year was £3,008, the whole of which he believed was due to the improvement in the management.¹⁰⁹

MR. R. MACDONALD of Cornwall, said that when he had stated in his first speech, that he had only been made acquainted with the fact from the public prints of yesterday, that might appear surprising since it had been published in the Official Gazette of the 23 ult. but the fact was, that the Gazette which he received was sent to Cornwall, and thus he had no opportunity of seeing it; indeed, even when he was there, he seldom looked at it as it contained no news, nor did he even expect to see his name there for any appointment, for the Government were sure of his support, and there was therefore, no inducement for them to buy it. If he wanted to get any situation he only required to become one of the loose fish, and then he might reasonably expect that he would get a situation. He was glad to see the manner in which the Collector of the port of Cornwall was spoken of by the hon. Inspector General and the hon. member for the Fourth Riding, and he could only say that he did no more than justice to him. He was glad to hear that the change would not make any change in the revenue, and he would therefore consent to withdraw the motion, as he had every confidence that any representations from Mr. Wood would receive that consideration which they are entitled to. His desire he said, was for information, and he had received as much information and as explicitly, from the remarks of the hon. Inspector General as could be furnished by the papers. He would not push the matter therefore, as by doing so he might be the means of injuring the person he was desirous of serving. He would state, and perhaps the suggestion might have some weight with the Ministry, that as there was an opening in Kingston, and as the Ministry might perhaps wish to do right where right ought to be done, and without reference to Parliamentary influence (but perhaps that is not Responsible Government) they might offer to Mr. Wood the vacant office, and it would have the appearance that they wished to do justice to Mr. Wood. He would however, go bail, that Mr. Wood would not accept of it, for he is too comfortable and snug at home to be desirous of removing from Cornwall, and also his present state of health would prevent him from removing to Kingston. They might however, do him the honour to offer it to him. He would therefore, withdraw the motion with the understanding that any representations that Mr. Wood may be compelled to make, will have due consideration. He then withdrew the motion.¹¹⁰

FOOTNOTES - 3 JUNE 1846.

1. The debate on this motion was reported by: MONTREAL TRANSCRIPT, 6 June 1846, and MONTREAL GAZETTE, 4 June 1846, in accounts which are identical except that in the GAZETTE some speeches have been omitted entirely; MIRROR, 3 June 1846, and PILOT, 6 June 1846, in identical accounts; LE JOURNAL DE QUEBEC, 6 June 1846; and L'AUORE, 13 June 1846. Commentaries were found in L'AUORE, 10 June 1846.
2. MIRROR, 3 June 1846.
3. IBID.
4. L'AUORE, 13 June 1846.
5. LE JOURNAL DE QUEBEC, 6 June 1846.
6. L'AUORE, 13 June 1846.
7. LE JOURNAL DE QUEBEC, 7 June 1846.
8. IBID.
9. IBID.
10. IBID.
11. MIRROR, 3 June 1846.
12. MONTREAL TRANSCRIPT, 6 June 1846.
13. MIRROR, 3 June 1846.
14. IBID.
15. MONTREAL TRANSCRIPT, 6 June 1846.
16. IBID.
17. L'AUORE, 13 June 1846. According to L'AUORE, the noon-time adjournment took place at this point, not as designated above.
18. L'AUORE, 13 June 1846.
19. IBID.
20. The debate on this motion was reported by: MONTREAL GAZETTE, 4 June 1846, MONTREAL TRANSCRIPT, 6 June 1846, MIRROR, 3 June 1846, and PILOT, 6 June 1846, in accounts which are identical except that in the MIRROR and the PILOT some speeches have been omitted entirely.
21. MIRROR, 3 June 1846.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. The debate on this motion was reported by: MIRROR, 3 June 1846, and PILOT, 9 June 1846, in identical accounts; and LE JOURNAL DE QUEBEC, 9 June 1846.
29. MIRROR, 3 June 1846.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. LE JOURNAL DE QUEBEC, 9 June 1846.
36. IBID., which noted that a lively discussion ensued.
37. LE JOURNAL DE QUEBEC, 9 June 1846.
38. IBID.

39. IBID.
40. PILOT, 6 June 1846.
41. IBID.
42. LE JOURNAL DE QUEBEC, 9 June 1846. The JOURNAL DE QUEBEC, added: "Cependant, après cette déclaration, il a été trois jours absent".
43. The debate on this motion was reported by: LA MINERVE, 12 June 1846; and LE JOURNAL DE QUEBEC, 9 June 1846.
44. LA MINERVE, 12 June 1846.
45. LE JOURNAL DE QUEBEC, 9 June 1846.
46. MONTREAL TRANSCRIPT, 11 June 1846.
47. The debate on this notice was reported by: MIRROR, 3 June 1846, and PILOT, 6 June 1846, in identical accounts; and MONTREAL TRANSCRIPT, 6 June 1846.
48. MIRROR, 3 June 1846.
49. MONTREAL TRANSCRIPT, 6 June 1846.
50. IBID.
51. The debate on this motion was reported by: MIRROR, 3 June 1846, and PILOT, 6 June 1846, in identical accounts; LE JOURNAL DE QUEBEC, 6 June 1846; and MONTREAL TRANSCRIPT, 6 June 1846.
52. MONTREAL TRANSCRIPT, 6 June 1846, which throughout spells Dickenson as Dickinson.
53. MIRROR, 3 June 1846.
54. MONTREAL TRANSCRIPT, 6 June 1846.
55. MIRROR, 3 June 1846.
56. MONTREAL TRANSCRIPT, 6 June 1846.
57. MIRROR, 3 June 1846.
58. MONTREAL TRANSCRIPT, 6 June 1846.
59. MIRROR, 3 June 1846.
60. MONTREAL TRANSCRIPT, 6 June 1846.
61. MIRROR, 3 June 1846.
62. MONTREAL TRANSCRIPT, 6 June 1846.
63. MIRROR, 3 June 1846.
64. MONTREAL TRANSCRIPT, 6 June 1846.
65. MIRROR, 3 June 1846.
66. MONTREAL TRANSCRIPT, 6 June 1846.
67. MIRROR, 3 June 1846.
68. MONTREAL TRANSCRIPT, 6 June 1846.
69. MIRROR, 3 June 1846.
70. MONTREAL TRANSCRIPT, 6 June 1846.
71. MIRROR, 3 June 1846.
72. LE JOURNAL DE QUEBEC, 6 June 1846.
73. MIRROR, 3 June 1846.
74. MONTREAL TRANSCRIPT, 6 June 1846.
75. IBID. According to the MIRROR, 3 June 1846, the man's name was M. Roy.
76. MONTREAL TRANSCRIPT, 6 June 1846.
77. MIRROR, 3 June 1846.
78. MONTREAL TRANSCRIPT, 6 June 1846.
79. MIRROR, 3 June 1846.

80. MONTREAL TRANSCRIPT, 6 June 1846.
81. MIRROR, 3 June 1846.
82. MONTREAL TRANSCRIPT, 6 June 1846.
83. MIRROR, 3 June 1846.
84. MONTREAL TRANSCRIPT, 6 June 1846.
85. MIRROR, 3 June 1846.
86. IBID.
87. MONTREAL TRANSCRIPT, 6 June 1846.
88. MIRROR, 3 June 1846.
89. IBID.
90. MONTREAL TRANSCRIPT, 6 June 1846.
91. MIRROR, 3 June 1846.
92. MONTREAL TRANSCRIPT, 6 June 1846.
93. MIRROR, 3 June 1846.
94. MONTREAL TRANSCRIPT, 6 June 1846.
95. MIRROR, 3 June 1846.
96. MONTREAL TRANSCRIPT, 6 June 1846.
97. MIRROR, 3 June 1846.
98. IBID.
99. MONTREAL TRANSCRIPT, 6 June 1846.
100. MIRROR, 3 June 1846.
101. IBID.
102. MONTREAL TRANSCRIPT, 6 June 1846.
103. MIRROR, 3 June 1846.
104. MONTREAL TRANSCRIPT, 6 June 1846.
105. MIRROR, 3 June 1846.
106. MONTREAL TRANSCRIPT, 6 June 1846.
107. MIRROR, 3 June 1846.
108. MONTREAL TRANSCRIPT, 6 June 1846.
109. MIRROR, 3 June 1846.
110. IBID.

THURSDAY, 4 JUNE 1846.

11 O'Clock, A.M.

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Petition laid
on the table.

THE following Petition was brought up and
laid on the table.

By the Honourable Mr. Daly,--The Petition of
the Reverend Richard Anderson and others, of Ireland, Halifax, and
Inverness.

Quebec Relief
Bill.

An Engrossed Bill for enabling Her Majesty
to direct the issue of Debentures to a limited
amount, and for giving relief to the City of
Quebec, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Taschereau, do carry the said Bill
to the Legislative Council, and desire their concurrence.

Municipal Bill,
(U.C.).

An Engrossed Bill to amend the Laws now in
force, establishing Municipal Authorities in
Upper Canada, was read for the third time.

The Honourable Mr. Solicitor General Sherwood moved, seconded by
Mr. Solicitor General Taschereau, that the Bill do pass, and the Title
be "An Act to amend the Laws relative to District Councils in Upper
Canada."

The question having been put upon the said motion, a division
ensued, and the names being called for, they were taken down as
followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Cayley, Chabot, Chauveau, Cummings,
Daly, Desaulniers, Attorney General Draper, Drummond, Duggan, Erma-
tinger, Guillet, Jessup, Jobin, LaFontaine, Lantier, Laurin, Leslie,
Macdonald of DUNDAS, Macdonell of STORMONT, M'Connell, Méthot, Papineau,
Seymour, Solicitor General Sherwood, Smith of FRONTENAC, Stewart of
PRESCOTT, Solicitor General Taschereau, Viger, and Woods.--(32.)

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NAYS.

Boulton, Sherwood of BROCKVILLE, and Williams.--(3.)
So it was carried in the affirmative, and

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Draper, do carry the
said Bill to the Legislative Council, and desire their concurrence.

Dorchester
Registry Office
Bill.

An Engrossed Bill to establish a separate
Registry Office in the lower part of the County
of Dorchester, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Taschereau do carry the said Bill to the Legislative Council, and desire their concurrence.

Jews Privi-
leges Bill,
(L.C.)

An Engrossed Bill to amend the Act of Lower Canada therein mentioned, extending certain privileges to persons of the Jewish persuasion, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Moffatt do carry the said Bill to the Legislative Council, and desire their concurrence.

Lunatic
Asylum Bill,
Toronto.

An Engrossed Bill to authorize the issue of Debentures for the erection of a Lunatic Asylum at Toronto, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence

Board of
Works Bill.

An Engrossed Bill to amend the Law constituting the Board of Works, was read for the third time.

Mr. Smith of Frontenac moved, seconded by Mr. Méthot, that the following Engrossed Ryder, marked A. be added to the said Bill, and do make part thereof:

RYDER A.

To be inserted after the words "Clergymen to be exempt," in the column headed "Remarks" in the Schedule B 4.

"All persons going to and returning from Divine Service on Sundays, together with their horses and carriages, to be exempt."

The said Ryder being thrice read, and the question being put thereon, it was agreed to by the House.

Mr. Drummond moved, seconded by the Honourable Mr. LaFontaine, That the said Bill be re-committed to a Committee of the whole House, for the purpose of amending it as follows:--

Press 12, Line 18.--Strike out from "And" to "Laws," in the second line of the thirteenth Press, and add the following in lieu thereof:--

And be it enacted, that if no voluntary agreement shall have been made between the said Commissioners, and the owner or owners, occupier or occupiers, Seigneur or Seigniors, or other parties interested in any such Lands, Real Property, Streams, Waters, or Water Courses, which it may be necessary for the said Commissioners to take, as to the value thereof, or as to the amount of compensation claimable for any damages or injury committed or done by the said Commissioners in the

execution of this Act; the said Commissioners, or the Officer superintending the work upon which any such property shall lie, or such damages or injury shall have been done, shall, upon the notice or request in writing of such Proprietor, Occupier, Seignior, or other party interested in such land, or sustaining such injury or damage, or his agent, legally authorized, appoint an arbitrator (arbitre) to be at a day and a place to be named in such notice; and such arbitrator so named shall attend upon the premises in question to meet the arbitrator (arbitre) to be appointed by such claimant, and such two arbitrators shall and may, before proceeding to consider the claim, appoint a third arbitrator, which three arbitrators, (arbitres) being first sworn by some one of Her Majesty's Justices of the Peace, to give a just and true award upon the claim submitted to them, shall, upon the statements of the parties, and view of the premises, and upon the testimony of witnesses to be examined upon oath or affirmation, (if either party shall require it) which oath or affirmation any one of the said arbitrators is hereby authorized to administer, make their award in writing under their hands, of the amount of compensation to be paid to such claimant."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Bouthillier, Chabot, Chaveau, Desaulniers, DeWitt, Drummond, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Morin, Smith of WENTWORTH, Taché, and Woods.--(20.)

NAYS.

Boulton, Cayley, Christie, Colville, Cummings, Daly, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Jessup, Macdonald of CORNWALL, M'Connell, Papineau, Petrie, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, and Williams.--(29.)

So it passed in the negative.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Law constituting the Board of Works."

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Read and
Larned.

Mr. Woods, from the Select Committee to which was referred the Petition of James Read, and Henry S. Larned, of the Town of Chatham, in the

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Western District, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:

Report.

Your Committee report, That they have examined into the merits of the Petition referred to them, and have also examined parties in the employment of the Board of Works, and are of opinion that the Petitioners, upon the subjoined evidence, and more particularly upon the testimony of Mr. Gzowski, the immediate superintendent of that portion of the Public Works of the Province, have a claim upon and are deserving of the consideration of the Government, and would respectfully suggest that the attention of the Executive Government be directed to the matter.

MINUTES OF EVIDENCE.

Thomas A. Begly, Esquire, Secretary to the Board of Works, called in; and examined:--

1. Do you know that the Petitioners did contract for the construction of a Road from Chatham to Amherstburg and Sandwich?--I am aware that they have contracted for such Road; their contracts were made in 1844.
2. Are you aware that any difficulty arose as to the fulfilment of that contract?--Yes, the lowness of price at which they took the work made them much difficulty, which they felt after having been engaged about a year at it.
3. Upon the Board of Works being informed of their difficulties, what action was taken by them upon the same?--On being informed by Mr. Gzowski, who was Superintendent Engineer on the Western Works, of the situation of the Contractors, by a letter, a copy of which I hand in to the Committee; also, a letter from Mr. Larned, which was enclosed in the same; he was written to in reply upon the subject.
4. Did you get a subsequent Report from the Engineer upon the subject?--I did.
5. Did the Board take that Report into consideration?--There was a Report made to the Secretary of the Province by the Chairman of the Board, in April last, a copy of which Report I will furnish the Committee with.
6. Did you receive an answer from the Secretary of the Province in the matter?--I think a Copy of Minutes in Council was returned as the reply, refusing to allow the Contractors' claim.
7. Will you furnish the Committee with a Copy of that Minute?--If I have it I will.
8. How did the Board consider the application of the Petitioners?--That they had no well grounded claim, and that the claim was for remuneration beyond the contract prices, having taken the work too low.

Mr. C. S. Gzowski, Civil Engineer, called in; and examined:--

9. Will you be so good as to inform me as to circumstances attending the taking, the suspension of the Works contracted for by the Petitioners, the Reports made by you, instructions sent you in respect thereto, and such other information connected therewith as you may be enabled to lay before the Committee?--I know that Messrs. Read and Larned have tendered for the whole of Chatham and Amherstburg and Maidstone Cross and Sandwich Roads--upwards of eighty miles. The tenders were accepted, being the lowest for upwards of 60 miles. In January 1845, Mr. Read brought a claim against the Board of Works for an extra allowance for extra formation of Road, against which claim I reported on the 17th January, 1845. The work from that time till June following, being the time which the Contract for the completion of the work expired, progressed satisfactorily. On the 16th day of that month they were notified of the expiration of the Contract. From that time until October of the same year I had had several interviews with the parties, and advised them to complete the work if possible previously to making any claim--nearly five sixths of the whole being completed at the time. In October they suspended the work for a while, but by making a new arrangement for money the work proceeded until December following, from which time the work was entirely suspended. Several claims were brought by Messrs. Read and Larned, for allowance to cover the losses sustained in the work, upon all of which I reported to the Department. In April last Mr. Larned requested me to express my opinion as to the cause of the loss sustained on the work, which I sent to the Department on the 8th April last. I consider the causes of the loss sustained on the work are those over which the parties contracted have no control. They completed 57 miles in strict accordance with the terms of Contract; they used all economy and industry to attain this object. My estimate for the 67 miles amounted to £9808 9s. 8d., their Contract prices are £7636 1s. 10d., making a difference of £1572 7s. 10d. between their contracting prices and the estimate, independent of drainage, which was not anticipated by myself and the Contractors, for the reasons given in my letter handed in and in my Report sent in to the Board of Works. My estimate in my opinion would have been sufficient to complete the work had not casualties arisen, for instance, at the time the parties contracted for the work Flour could be got for 8s. 9d. per cwt., they were obliged to pay subsequently owing to the rise of provisions and other causes, from 12s. 6d. to 15s. per cwt.; they could get Pork at 45s., it rose during their term to 65s. per barrel; Oats rose from 11d. to 1s. 10½d. per bushel; Hay from 30s. to 60s. per ton; Potatoes from 11d. to 1s. 7d. per bushel; Beef from 15s. to 20s. per cwt. I am unable to state without a minute investigation to that point alone on the spot with access to the information to be derived from the Books of the Contractors, taken in connection with the Returns of Forces employed on the work and furnished by Local Officers in charge, what amount would make up the loss sustained by them in prosecuting this work, and the encountering and surmounting difficulties so far as the work has progressed which have occurred. I should say that the sum would be large, for I have

already mentioned that they have expended all their means and exhausted all their resources, so much so as to be compelled to abandon or to cease prosecuting the residue of the Contract. The work in a public point of view has conferred an incalculable advantage in that portion of the country from drainage alone, apart from means of opening communication, it has redeemed it from being incapable of settlement, which was found from experience to be coming the reverse, and now presents every inducement for fast settlement.

Mr. Samuel Keefer, Engineer of the Board of Works, called in; and examined.

10. You have just heard the evidence given by Mr. Gzowski read; do you concur in the same?--I do.

11. What do you know of the merits of the application?--In consequence of applications made to the Board of Works by the Contractors, I was sent to investigate into the merits of the claims on the spot, and having gone over the whole of the road, accompanied by the Superintending Engineer, Mr. Gzowski, and the Contractors. I made myself intimately acquainted with the circumstances under which the works were conducted. I also called upon Mr. Gzowski for statements regarding the estimates and returns, and was furnished by the Contractor with statements of the liabilities due. From these, taken in connection with my personal inspection of the Works, I was enabled to report to the Board of Works as I did upon the 29th October, 1845, to which I beg leave to

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refer the Committee for various details connected with that claim. The former part of this report is devoted to showing that the Contractor's claim for extra work, in the raising of and crossing the centre of the Road, (which I looked upon as the main point to be determined in this question,) could not be entertained, but in the latter part I have felt it my duty to represent to the Board the peculiar hardships of the Contractors, in having prosecuted their works under great difficulties, and at losing prices. They, as well as the Engineer, were deceived as to the value of the work, on account of the extraordinary dryness of the season when they examined it, and consequently the work was contracted for much below its actual value. It was prosecuted by them in a most satisfactory manner, so long as their means, and the assistance they could obtain of their friends, enabled them to do so, and at the time I was upon the work I had reason to believe that they would be losers to upwards of three thousand pounds, exclusive of the value of their own resources. The principle of not paying the Contractor any more than his contract price, could not be departed from, but I stated that I conceive their case an exception to the general rule, and therefore deserving the most favourable consideration of the Board. I conceived that if assistance were afforded them to the amount of one thousand five hundred pounds, while the Works were in progress, they would be enabled to prosecute it to completion, and that the interests of the public would be best promoted by adopting that course, for should they fail, the work would cost much more to complete it. Taking these things into consideration, as well as the immense benefit derived to the

public by the labour and losses of the Contractors, I recommended that the Board should advance the sum of one thousand five hundred pounds as a bonus, which has not been granted. My reason for recommending one thousand five hundred pounds, instead of three thousand pounds, as I considered at the time to be about the amount of the Contractor's losses, is this: If a Contractor were made good for all his losses, under similar circumstances, it would be drawn into a precedent, and encourage the taking of contracts in future at very low prices, in the hopes of being compensated upon completion, besides on the principle of each party sustaining a loss.

Mr. C. S. Gzowski again called in; and examined.

12. Having had an opportunity of returning to Toronto, and having there referred to your Books and Papers in reference to Read and Larned's matter, can you now state to the Committee, (which you could not when you were here before,) to what extent have the parties been damaged in the prosecution of the contract in question, both as regards expenditure and their loss of time?--From papers which are before me, being returns of forces employed in constructing the Chatham and Amherstburg Road, from the 12th January, 1844, to the 28th January, 1845, I find that the total number of days' work performed by

Labouring Men is	...	...	84,050
Number of days' work by Horses	...	...	2,910
Number of days' work by Oxen	...	...	3,418

Deducting from the number of days work performed by men in grading the Road, the number of days work performed by mechanics in constructing Bridges and Culverts, being 7,169 days work, leaves the amounts of days, work expended by them in grading the Road, as follows, to wit:--

76,881 days' work by Men at 3s.			
1½d. per day, that being the lowest			
price paid by them, is	£12012	13	1½
2,910 days work, Horses at 5s. per day,	727	10	0
3,418 days, Ox teams at 3s. per day,	512	14	0

Total value of days work done by them	£13252	17	1½
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Deduct from the above the amount paid to the Contractors for work done on the above Road, according to their contract prices, exclusive of the amount of percentage retained, which is still in the hands of the Board of Works, as security for the performance of their contract,

£ 7037	19	2
--------	----	---

£ 6214	17	11½
1243	2	2

Amount of percentage retained.....
Actual outlay beyond the amount paid, and in my opinion, without the least profit, or taking into consideration the loss of their own time.....

£ 4971	15	9½
--------	----	----

13. Do you admit that you were mistaken as to the extent of the work to be performed on the route in question?--I was deceived as to the extent of drainage required for the perfect completion of that Road, and though every means to obtain that information, taking the shortness of the time and other circumstances into consideration were adopted, yet the quantity of excavation absolutely required to effect drainage, far exceeded my estimate, and what I supposed would have been sufficient under ordinary circumstances.

14. Is this the only work you are in charge of?--I am in charge of all the Western Works, with the exception of the Welland Canal, and the Works in the neighbourhood of Hamilton.

15. Have you entertained any claims for extra work or compensation made by different Contractors on the Works under your charge?--Numerous claims have been made for extra work and compensation by the different Contractors, but I am not aware of any one instance where I either recommended the claim for the favorable consideration of the Board, or asked for an allowance to be granted.

16. What is your opinion in reference to the case now before the Committee, (Read and Larned's), and do you consider them entitled to any and what allowance?--I consider the case of Read and Larned different from any of those that ever came before me claiming an allowance; I am aware that they have sustained a loss, as the foregoing calculations shew, to the extent of £4971, 15s. 9½d., irrespective of loss of time. These calculations being the only means by which any thing like a decisive conclusion can be arrived at, as to the actual amount of their expenditure and losses. And I am also of opinion that the causes which led to the loss, are those over which they could have no control, nor could they have been foreseen or avoided by them; and on those grounds I have been induced to consider their case as a peculiar one, and have taken the liberty of recommending it to the favorable consideration of the Board of Works.

17. From your experience of, and connection with Public Works and Contractors, what do you consider to be the value of the services of a Contractor for one year?--The value of a Contractor's time cannot be determined satisfactorily, as that is entirely dependent upon the extent and nature of the work, as well as the amount of capital embarked; but under any circumstances, and considering a contractor nothing more than a foreman in charge of a work, the value of his time cannot be, in my opinion, estimated at a less sum than 10s. per day.

18. Where did you receive the summons, in pursuance of which you are now in attendance before the Committee?--At Toronto.

On motion of Mr. Smith of Wentworth, seconded by the Honourable Mr. Robinson,

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to alter and amend the Act Incorporating

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Hamilton In-
corporation
Bill.

the Town of Hamilton, and to erect the same into a City," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 30, Line 12.--After "purposes" insert "provided always, that the yearly value of any property, for the purpose of making such Voter's Lists, shall be taken at per cent. on the absolute assessed value thereof, on the Assessment Lists for the said year one thousand eight hundred and forty-six; and the said Voter's Lists shall include the Proprietors or Tenants of property of the required value, which under this Act shall be within the said City, although before the passing thereof it was without the limits thereof, and such Proprietors or Tenants shall vote at the first Election of Councillors in the year one thousand eight hundred and forty-seven."

" 34, " 14.--After "duty" insert, "And be it enacted, that the boundaries and limits of the said City of Hamilton, as herein before ascertained and fixed, shall be those by which it shall hereafter be deemed to be bounded and limited, for the purpose of Electing the Representative thereof in the Legislative Assembly of this Province; any thing in any Act, Law, or Proclamation to the contrary notwithstanding."

Ordered, That the blank in the first amendment be filled up with the word "ten."

Ordered, That the said amendment be Engrossed.

Ordered, That the said amendments, as amended, be now read for the third time.

The said amendments were accordingly read for the third time.

Resolved, That the said amendments, as amended, do pass.

Ordered, That Mr. Smith of Wentworth, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments, with an amendment, to which they desire their concurrence.

On motion of Mr. Macdonald of Glengarry, seconded by Mr. Lantier.

Montreal and
Kingston Rail-
road Bill.

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act to incorporate the Montreal and Kingston Railroad Company," be now taken into consideration.

The House proceeded accordingly, to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 30.--After "named" insert "before proceeding to business, or in the event of their differing as to the choice of such person, to be appointed by the Judge of the District Court, for the District in which the Lands are situate, before the others proceed to business."

Press 5, Line 17.--Leave out from "And" to "therewith," in line 31, both inclusive.

" 6, " 33.--Leave out "Her Majesty, Her Heirs, and Successors, or."

" " " 33.--Leave out "other."

" 9, " 25.--Leave out "or Steamboat."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Macdonald of Glengarry, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of the Honourable Mr. Robinson, seconded by Mr. Gowan,
Address. Resolved, That this House doth concur in the Address to Her Most Gracious Majesty the Queen, on the subject of the Mails, to and from England; and praying for a reduction of Postage.

Ordered, That the said Address be Engrossed.

On motion of the Honourable Mr. Robinson, seconded by Mr. Gowan,
Postage. Resolved, That a Message be sent to the Honourable the Legislative Council, informing their Honours that this House has adopted an Address to Her Majesty on the subject of the transmission of the Mails, to and from Great Britain; and also, praying for a reduction of the Rates of Postage, and requesting the concurrence of their Honours thereto.

Ordered, That the Honourable Mr. Robinson do carry the said Message to the Legislative Council.

On motion of the Honourable Mr. Robinson, seconded by Mr. Macdonell of Dundas,

Wm. Rees. Resolved, That this House doth concur in the Report of the Select Committee, to which was referred the Petition of William Rees, late Medical Superintendent of the Provincial Lunatic Asylum at Toronto.

Address. Resolved, That an humble Address be presented to His Excellency the Governor General, informing His Excellency that this House has agreed to a Report of a Select Committee, in favor of the application of William Rees, Esquire, late Superintendent of the Temporary Lunatic Asylum in Toronto, recommending some further remuneration for his services, and to request His Excellency's

favorable consideration thereof; and that a Copy of the Report be also transmitted to His Excellency.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Civil List Bill. Mr. Stewart of Bytown, from the Committee of the whole House, on the Bill for granting a Civil List to Her Majesty, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Quebec Trinity House Bill. The Order of the Day for the second reading of the Bill to amend the Laws relative to the Trinity House of Quebec, and to confer certain

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powers on the said Trinity House, being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

The Honourable Mr. Aylwin took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honourable Mr. Aylwin reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, That the Report be received to-morrow.

District Courts Act Bill, (U.C.) Mr. Duggan moved, seconded by Mr. Ermatinger, That the Order of the Day for the second reading of the Bill to amend an Act, intituled, "An Act to amend, consolidate and reduce into one Act, the several Laws now in force, establishing or regulating the Practice of the District Courts in that part of the Province formerly Upper Canada," be now read.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Supply. The Order of the Day for the House in Committee to consider of the Supply granted to Her Majesty, being read;

The House accordingly resolved itself into the said Committee.

Mr. Christie took the Chair of the Committee,¹

MR. INSP. GEN. CAYLEY propose qu'une somme de £500 soit accordée à la société médicale du collège McGill.²

DR. BOUTHILLIER dit que, lorsque cet item fût soumis à la chambre l'an dernier, il avait proposé de le diviser entre le collège McGill et

l'école médicale de Montréal, que l'honorable procureur général répondit que cette somme était peu considérable et que d'ailleurs il était probable cette allocation n'aurait pas lieu l'an prochain. Mais aujourd'hui on la renouvelait encore et il, M. Bouthillier, croyait devoir soumettre de nouveau la même motion. Il pria la chambre de croire qu'il n'avait aucune intention hostile envers le collège McGill. Au contraire, s'il pouvait être mu par des sentiments de partialité, des relations avec cet établissement, d'une date assez récente, seraient de nature à lui assurer sa sympathie; mais il avait eu occasion d'assister à l'examen des élèves de la nouvelle école de médecine, et il avait pu se convaincre des progrès des élèves et de l'habileté des maîtres. Cette école était égale à toutes celles qu'il connaissait, il voulait qu'elle eût égale protection. Il proposait donc que cet item fût rayé et qu'une somme de £250 fût accordée à la faculté médicale du collège McGill, et autant à l'école de médecine de Montréal.³

MR. SMITH, of Frontenac, said that he was compelled to oppose the amendment. Last year, when they applied for the act of incorporation, it was expressly stated that they did not desire that any aid should be afforded them out of the Provincial Revenue. To support this he read a letter from Dr. Arnoldi, Junr., to the members of the House last session, in which that gentleman, in the name of the school, ... expressly stated that they did not desire one copper from the Provincial Revenue, and that the school was not started by the professors for the sake of filthy lucre.⁴ ((Il)) dit qu'on n'en finira plus, si l'on accorde une allocation à cette nouvelle école; on se trouverait dans l'obligation aussi de faire la même chose envers celle de Québec. L'école de médecine de Montréal d'ailleurs ne s'était pas attendu à cette allocation, au contraire, quelques-uns de ses membres avaient même assuré qu'ils ne se proposaient pas de rien demander, que ce qu'il leur fallait seulement était une charte.⁵

DR. NELSON stated that the monies which had been already granted had found their way into the pockets of the Professors; they did not apply it to procure a library, museum, or anatomical preparations.⁶

MR. AT. GEN. SMITH stated that the College had a medical library of some 15,000 or 16,000.⁷

DR. NELSON, 15,000 or 16,000⁸.

MR. AT. GEN. SMITH resumed: Yes, you are right, it is only between 15,000 and 16,000 out of the £500 granted last year they had applied the sum of £130 to the foundation of a Lying-in Hospital.⁹

DR. NELSON drew a comparison between the School of Medicine and McGill College, in which he animadverted in very strong terms on the conduct of the faculties of medicine of McGill College. He was glad that mention had been made of the University Lying-in Hospital, he would ask hon. members if they knew the animus with which that institution had been got up, he would tell them that it was for the purpose of putting down an institution of a like nature, that had been set on foot by the late lamented Dr. McNider. It was not got up because it had been

found deficient, on the contrary, that institution (sic) was amply sufficient.¹⁰ He said that in many respects the teachers in the McGill College were very inferior to those in the other School. He called upon the Attorney General (East) to say, whether at the last Session, he had not stated that that was the last time when the House would be called upon to vote a grant for the McGill College. He complained too, that the preceding grants had not been applied, as they ought to have been, to the purchase of books and apparatus. He wished neither College to have any grant.¹¹

DR. TACHE would have liked much that the motion had been to make no grant at all, rather than to divide it. He wished that both Colleges should stand on their own revenues.¹² ((Il)) devait rendre justice à cette nouvelle école; il dit qu'il avait visité la maison ou le museum, et assisté à l'examen des élèves, et qu'il avait été, entièrement satisfait; qu'il avait étudié aux Etats-Unis, à Philadelphie;¹³ that the College at which he had studied, in 1818 and 1819, was considered one of the best in the United States; but¹⁴ qu'il n'avait vu là rien de supérieur à ce qu'il avait l'occasion d'observer dans la nouvelle école, et que s'il avait un fils qui étudiait la médecine, bien assurément c'était à cette école qu'il préférerait le confier.¹⁵

MR. AT. GEN. SMITH said, he could not remember having made the statement alluded to by the hon. member for Richelieu, but he dares say it was correct. If so, however, he must say that the Government had not taken the proper steps to notify the college that this grant would be discontinued, and he therefore must support the proposed grant.¹⁶

MR. MOFFATT would have been better pleased if the hon. member for Richelieu had confined his observations to praising the new School, without detracting from the old one. He knew that McGill College had been established under great difficulties, and he could not understand why the establishment of another institution and rival one, should deprive that College of the advantages it had always possessed.¹⁷

MR. LAFONTAINE thought that justice would dictate the division of the grant. He said that he was not at all satisfied with the explanation of the Attorney General, as to the application of the grant of last year. It was well known that this sum was given for the encouragement of lectures, and it appeared that £130 out of it had been applied to establish a Lying-in-Hospital, in opposition to the one established by the late Doctor McNider.¹⁸

MR. AT. GEN. SMITH could see no reason why the Professors of McGill College could not apply to a benevolent purpose, that which they might have put into their own pockets.¹⁹

On a division on the amendment the numbers were 27--27.²⁰

The Chairman, MR. CHRISTIE, gave his vote with the yeas.²¹

The grant for the Quarantine establishment ... ((was)) proposed.²²

MR. AYLWIN called the attention of the Government to this establishment, mentioning the report of the reappearance of the Cholera²³.

The grant of £5000 ... ((was)) proposed for the printing of laws, and £359 for distribution.²⁴

MR. MOFFATT complained of the great expense of this part of the public service.²⁵

MR. AT. GEN. SMITH said it would not be considered too great if it were remembered how large a number of persons were counted to receive these papers.²⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Christie reported, that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also, that the Committee had directed him to move for leave to sit again.

Ordered, That the Report be received to-morrow.

Ordered, That the said Committee have leave to sit again to-morrow.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Nicolet Registry Office Bill.

The Legislative Council have passed the Bill intituled, "An Act to provide for the removal of the Registry Office of the County of Nicolet, from the place where it is now held to Bécancour," without any amendment.

And also,

Militia Bill.

The Legislative Council have passed the Bill intituled "An Act to repeal certain Laws therein mentioned, to provide for the better defence of this Province, and to regulate the Militia thereof," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Another Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Common
School Bill,
(L.C.)

The Legislative Council have passed the Bill intituled, "An Act to repeal certain enactments therein mentioned, and to make better provision for Elementary Instruction in Lower Canada," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Officers of
Legislative
Assembly.

Mr. Gowan, from the Special Committee to which was referred the subject of the Salaries of the several Officers and Messengers of this House, to report their opinion upon a proper Scale or Schedule of Salaries or other allowances, to be paid to such Officers and Messengers, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

The Special Committee to whom was referred the subject of fixing a Scale or Schedule of Salaries or other Allowances, to be paid to the present Officers and Messengers of the House, have the honour to report, that they met this day, at ten o'clock, when there were present,

The Hon. Mr. MORIN,
The Hon. MR. ROBINSON,
MR. CHRISTIE,
MR. GOWAN, and
MR. DEWITT.

Read the Order of Reference.

On motion of Mr. Robinson, seconded by Mr. DeWitt, Mr. Gowan was called to the Chair.

The Chairman laid before the Committee a Return from the Clerk of the House, of the names of the Clerks, the dates of their appointment, the duties to be performed, and the amount of Salaries and other allowances paid to each Officer respectively; also a similar Return from the Sergeant-at-Arms, of the Messengers of the House, both of which were read.

1. Resolved, unanimously, That a fixed Salary be paid to each officer and servant of the House, in lieu of all fees and other allowances.

Mr. Lindsay, Clerk of the House, and Mr. Faribault, the Assistant Clerk of the House, were both called in and examined by the Committee, touching the amount of salary and the length of service performed by the Clerks of the House.

After much consideration, the following scale was unanimously concurred in, which is to be considered as permanently fixed during the continuance in office of the present incumbents;

Officers and Messengers.	Per Annum.
<u>Officers of Legislative Assembly.</u> <ol style="list-style-type: none"> 1. W. B. Lindsay, Clerk, £750 per annum, to be taken as in lieu of all fees, allowances, and per centage, and to be continued only during the continuance in office of the present incumbent, in consideration of his long and faithful services, and thereafter to be fixed at £600 per annum. 2. G. B. Faribault, Assistant Clerk, £550 per annum, to be taken in lieu of all allowances, and to be granted 	<p>£ s. d.</p>

Officers and Messengers.		Per Annum.		
		£	s.	d.
to the present incumbent only, in consideration of his long and faithful services during the Parliamentary Sessions, and in collecting historical documents for the Library of the House, and other services during the recess, and thereafter to be fixed at £450 per annum.				
3.	G. W. Wicksteed, Law Clerk and English Translator	350	0	0
4.	W.P. Patrick, Chief Office Clerk	350	0	0
5.	W. Ross, Chief Clerk of Committees	350	0	0
6.	Henri Voyer, French Translator	250	0	0
7.	P. E. Gagnon, Clerk of French Journals	250	0	0
8.	G. M. Muir, Clerk of English Journals	250	0	0
9.	Alfred Patrick, Clerk of Committees	250	0	0
10.	Thomas Vaux, Second Office Clerk and Accountant	250	0	0
11.	Alfred Todd, Clerk of Committees	250	0	0
12.	W. B. Lindsay, junior, Assistant Law Clerk and English Translator	200	0	0
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13.	G. Lévesque, Assistant French Translator	200	0	0
14.	D. P. Myrand do do	200	0	0
15.	J. Huston do do	200	0	0
16.	William Winder, Librarian	200	0	0
17.	Alpheus Todd, Assistant Librarian (After the present incumbents shall cease to hold office, but one Librarian to be appointed.)	200	0	0
18.	Geo. K. Chisholm, Sergeant-at-Arms	200	0	0
19.	J. B. Moraud, Junior Clerk	150	0	0
20.	Thaddeus Patrick, Junior Clerk	150	0	0
21.	Henry Hartney	150	0	0
22.	King Barton			
23.	W. H. Lemoine			
24.	W. Spink			
25.	L. Berthelot	125	0	0
26.	H. B. Stuart			
Acting as Extra Clerks, and to be placed on the permanent list of Clerks, at ...				
Extra Clerks, to be placed on the permanent list at ...				
Messengers.				
27.	A. L. Cardinal, Chief Messenger	150	0	0
28.	Robert Defries, Post Master	80	0	0
29.	John Cameron, Assistant Messenger, to the present incumbent only	75	0	0
30.	John O'Connor, Doorkeeper	70	0	0

2. Resolved, That all of the foregoing Salaries shall commence and take effect from and after the first day of January, 1846, and shall be taken and considered as an annual Salary and not for the Session.

3. Resolved, That any Officer or Servant of the House who may consider his services inadequately paid by the amount of Salary fixed in the preceding Schedule, be allowed to retire from the service of the House; and that the Clerk, and Sergeant-at-Arms, (with the approbation of the Speaker) be authorized to fill the vacancy.

Ordered, That the said Report be referred to the Committee of the whole House, on the Fourth Report of the Standing Committee on Contingencies.

Orders post-
poned.

Ordered, That the remaining Orders of the Day be postponed until to-morrow.

Then, on motion of the Honourable Mr. Viger,
seconded by the Honourable Mr. Daly,

The House adjourned until to-morrow at Eleven o'clock A.M.

FOOTNOTES - 4 JUNE 1846.

1. The debate on this motion was reported by: MIRROR, 4 June 1846, and PILOT, 9 June 1846, in identical accounts; MIRROR, 4 June 1846, and MONTREAL TRANSCRIPT, 9 June 1846, in accounts which contain some identical speeches, and some which are completely dissimilar; and LA MINERVE, 12 June 1846.
2. LA MINERVE, 12 June 1846.
3. IBID.
4. MIRROR, 4 June 1846.
5. LA MINERVE, 12 June 1846.
6. MIRROR, 4 June 1846.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. MONTREAL TRANSCRIPT, 9 June 1846.
12. MIRROR, 4 June 1846.
13. LA MINERVE, 12 June 1846.
14. MIRROR, 4 June 1846.
15. LA MINERVE, 12 June 1846.
16. MONTREAL TRANSCRIPT, 9 June 1846.
17. MIRROR, 4 June 1846.
18. IBID.
19. IBID.
20. MIRROR, 4 June 1846. MONTREAL TRANSCRIPT, 9 June 1846, recorded the vote as 26 to 26. The MONTREAL TRANSCRIPT, 9 June 1846, also reported that this vote was expunged 5 June 1846 on the motion of Mr. Cayley.
21. MIRROR, 4 June 1846.
22. MONTREAL TRANSCRIPT, 9 June 1846.
23. IBID.
24. IBID.
25. IBID.
26. IBID.

FRIDAY, 5 JUNE 1846.

11 O'Clock, A.M.

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Major Richardson.

MR. MACDONELL of Dundas, from the Select Committee to which was referred the Petition of Major John Richardson, Superintendent of Police on the Welland Canal, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report see Appendix, Z. Z.)

Contingencies.

Mr. DeWitt, from the Standing Committee on Contingencies, presented to the House the Fifth Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

The Petition of Mrs. Sophia Dalton, praying for the payment of a certain sum for printing, due her late husband by the House of Assembly of the late Province of Upper Canada, furnished by Mrs. Dalton and sworn to, that the sum of twenty-five pounds, six shillings and ten pence, (£25 6s. 10d.) is due to Mrs. Dalton, and they recommend that the same be paid from the Contingencies of this House.

The Petition of Mrs. Charlotte Frémont, widow of Jasper Brewer, Esquire, praying that the pension of her late husband, as Librarian to the House of Assembly of Lower Canada, be continued to her. From the late period at which the Petition was referred, your Committee could not enter into the consideration thereof.

Your Committee report herewith an Estimate of the Contingencies required for ther services of the present year, and recommend that an Address to His Excellency be presented, praying that the sum of £10,161 18s. 1½s. be advanced for such purpose.

Contingencies.

ESTIMATE of Contingencies for the Second Session and Recess of the Second Parliament, for the payment of arrears of the last Session and Recess beyond the former Estimate, and for the Salaries of the Officers, (from the 31st March, 1846, to the 31st March, 1847.)

<u>Legislative Assembly.</u>	£	s.	d.
Salaries, including the Clerks, English and French Translators, Librarians, Sergeant-at-Arms, Doorkeeper, and Chief Messenger ...	5135	0	0
Extra Clerks employed during the Session ...	1000	0	0
Messengers ...	750	0	0
Witnesses, and other expenses of Committees ...	700	0	0
Books for Library	500	0	0

<u>Legislative Assembly.</u>				£	s.	d.
Postage ...				2500	0	0
Printing and Binding, including printing during Session ...				6500	0	0
Stationery, including print paper ...				1000	0	0
Newspapers and publishing ...				250	0	0
Fuel, including wood, coal, and coke ...				150	0	0
Trades people and others, including oil, candles, gas, &c. ...				1100	0	0
Insurance ...				50	0	0
Petty Expenses ...				200	0	0
				<hr/>		
				£19835	0	0
Balance in hands of the Clerk at last audit ...	£	233	1	10 $\frac{3}{4}$		
Amount received by Addresses ...	9000	0	0			
Amount of Fees received on Private Bills ...	440	0	0			
				<hr/>		
				9673	1	10 $\frac{3}{4}$
				<hr/>		
				10161	18	1 $\frac{1}{4}$
				<hr/>		

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Ordered, That the said Report be committed to the Committee of the whole House, on the Fourth Report of the Standing Committee on Contingencies.

On motion of Mr. Christie, seconded by Mr. DeWitt,

Address.

Resolved, That an humble Address be presented to

His Excellency the Governor General, praying His Excellency will be pleased to issue his Warrant in favor of the Speaker of this House, for the sum of nine thousand, two hundred and thirty-seven pounds, three shillings currency, to enable him to defray certain Contingencies of the Session already voted, and to be provided for in a Bill of Appropriation to be passed in the present Session.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. Christie, seconded by Mr. Duggan,

Sessional Allowance to Members.

Resolved, That the Sessional Allowance and Mileage to Members for this, be the same as last Session, and that there be also paid from the Contingencies, two hundred and fifty pounds, currency, to the Honourable A. N. Morin, in compensation for his services

*as Speaker pro tem. during the absence of the Speaker, Sir Allan N. MacNab, with leave of the House by reason of a severe domestic affliction.*¹

MR. G. MACDONELL² of Dundas moved for an address for papers relating to the appointment of two landing waiters for the county of Dundas. He could not see any necessity that existed for the appointments in question, he had made the present motion for the purposes of disabusing his constituents of his having had any participation in the appointments. It appeared to him that in appointments like that in question, the representative of the county ought to be consulted but it appeared to him that back stairs influence had a predominance even in this administration as it had in the last.³ The hon. gentleman accused the Administration of having deprived him of a Constitutional right, and violated the principles of Responsible Government in making these appointments without consulting him upon the subject, and being guided by his advice.⁴ Of course, Responsible Government after this.--was at an end. He wished his constituents to know that he had had no hand in the appointments.⁵ (Laughter.)⁶ He stated that if a vote of want of confidence was proposed he would have something to say in the matter, for he had kept a day book of the transactions of the Ministry and it stood heavily balanced against them.⁷

MR. AT. GEN. DRAPER said, that he would produce the papers with the greatest of pleasure, and he thought that when the hon. gentleman had seen them, that he would far rather have seen them first and made his speech afterwards.⁸

MR. INSP. GEN. CAYLEY fully acquitted the member for Dundas of having had a hand in these appointments. He had had nothing to do with them. (Loud laughter.)⁹

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On motion of Mr. Macdonell of Dundas, seconded by Mr. M'Connell,
Address, *Resolved, That an humble Address be presented to*
Dundas Land- *His Excellency the Governor General, praying*
ing Waiters. *that he will be pleased to cause to be laid*
before this House all Correspondence relative
to the Appointment of two Landing Waiters at Dundas.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of the Honourable Mr. Attorney General Draper, seconded by the Honourable Mr. Attorney General Smith,

Militia Bill. *Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to repeal certain Laws therein mentioned, to provide for the better Defence of this Province, and to regulate the Militia thereof," be now taken into consideration.*

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 39.--After "Officer" insert "and "Adjutant."

" 21, " 42.--After "Justices" insert "Provided always, that nothing in this Act contained, shall be construed to authorize the quartering or billeting of any Troops or Militia, either on a march or in cantonment, in any Convent or Nunnery of any Religious Order of Females, or to oblige any such Religious Order to receive such Troops or Militia, or to furnish them with lodging or houseroom."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. Attorney General Draper do carry back the said Bill to the Legislative Council, and acquaint their Honours, that this House hath agreed to their amendments.

Civil List Bill.

An Engrossed Bill for the granting a Civil List to Her Majesty, was read for the third time.

The Honourable Mr. Cayley moved, seconded by the Honourable Mr. Attorney General Smith, That the Bill do pass, and the title be "An Act for granting a Civil List to Her Majesty."

The Honorable Mr. Baldwin moved, in amendment, seconded by the Honourable Mr. LaFontaine, that all the words after "That" in the said motion be struck out, and the following substituted, "the said Bill be amended by striking out the words 'now at the disposal of the Crown, arising in this Province,' in the sixth Section thereof, and inserting in lieu thereof the words, 'now or at any time heretofore claimed to be at the disposal of the Crown in this Province,' and by striking out the words 'now at the disposal of the Crown in this Province' wherever they occur in the said Section."

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Aylwin, Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chauveau, Christie, Desaulniers, DeWitt, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of STORMONT, Merritt, Méthot, Monro, Morin, Rousseau and Taché.--(25.)

NAYS.

Boulton, Cayley, Chalmers, Colville, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Jessup, Macdonell of DUNDAS, M'Connell, Moffatt, Papineau, Petrie, Robinson, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, and Williams.--(28.)

So it passed in the negative.

MR. BALDWIN expressed his regret that the difference of the views

entertained by himself and his friends of what he considered an important point had obliged him to move an amendment which he could have wished to concur in especially as he entirely approved of the principle of the bill, the expediency of granting a supply to Her Majesty.¹⁰

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The question being then put on the main motion the House divided thereon, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Cayley, Chalmers, Christie, Colville, DeBleury, Dickson, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Jessup, Lantier, Macdonald of GLENGARRY, Macdonell of DUNDAS, M'Connell, Moffat, Papineau, Petrie, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Solicitor General Taschereau, Viger, and Williams.--(33.)

NAYS.

Armstrong, Aylwin, Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chauveau, Desaulniers, DeWitt, Guillet, Jobin, LaFontaine, Laterrière, Leslie, Macdonell of STORMONT, Merritt, Méthot, Monro, Morin, Rousseau, and Taché.--(22.)

So it was carried in the affirmative, and

Resolved, That the Bill do pass, and the Title be, "An Act for granting a Civil List to Her Majesty."

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Winter Roads Bill.

Ordered, That Mr. Colville have leave to bring in a Bill to oblige Municipal Councils in Lower Canada, to provide for the keeping up of sufficiently wide Winter Roads.

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He accordingly presented the said Bill to the House,

MR. COLVILLE stated that he ... ((had introduced the bill) because he understood that the member for Ottawa did not intend to proceed with the Municipal Bill this Session.¹¹

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and the same was received and read for the first time, and ordered to be read a second time to-morrow.

On motion of the Honourable Mr. Papineau, seconded by the Honourable Mr. Attorney General Smith,

Common School Bill,
(L.C.)

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act to repeal certain enactments therein mentioned, and to

make better provision for Elementary Instruction in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 1, Line 27.--After "Municipality," insert "other than the Municipality of the Town of Three Rivers."

" 3, " 4.--Leave out "six," and insert "five."

" " " 8.--Leave out from "provided," to "election," in line 22, both inclusive.

" " " 27.--Leave out "of the present Session," and insert "then in force."

" 4, " 4.--Leave out "one," and insert "two of them."

" " " 5.--Leave out "third."

" " " 6.--Leave out "another third," and insert "two more."

" " " 8.--Leave out "third," and insert "one."

" " " 21.--Leave out "six," and insert "five."

" " " 22.--Leave out "June," and insert "July."

" " " 26.--Leave out "four," and insert "three."

" 5, " 3.--Leave out "at," and insert "within."

" " " 20.--Leave out from "(except," to "Successor,)" in line 22, both inclusive.

" 15, " 10.--Leave out from "or," to "distributed," in line 15, both inclusive.

" " " 10.--Leave out the first Marginal Note.

" " " 40.--After "pay," insert "on account of their lucrative rights."

" " " 44.--After "ground," insert "or land."

" 16, In the Marginal Note, line 2.--After the word "the," insert "Secretary-Treasurer of the."

" 16, Line 13.--Leave out "one or more," and insert "three,"

" 17, " 32.--After "July," insert "August, September."

" " " 35.--Leave out from "first," to "may," in line 36, both inclusive, and insert "passing of this Act."

" " " 36.--Leave out "July," and insert "October."

" 20, " 15.--Leave out from "in," to "or," both inclusive.

" " " 16.--Leave out "at discretion."

" 25, " 4.--After "opinion," insert Clause A.

CLAUSE A.

"And be it enacted, that no person shall be capable of being elected or appointed a School Commissioner, or named an Assessor under this Act, unless he shall be seized or possessed, to his own use, of real or personal Estate, or both, within this Province, of the value of two hundred and fifty pounds currency, after payment or deduction of his just debts."

And the said amendments being again read, they were agreed to by the House.

Ordered, That the Honourable Mr. Papineau do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Quebec Trinity House Bill.

The Honourable Mr. Aylwin, from the Committee of the whole House, on the Bill to amend the Laws relative to the Trinity House of Quebec, and to confer certain powers on the said Trinity House, reported according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

An Engrossed Bill to amend the Laws relative to the Trinity House of Quebec, and to confer certain powers on the said Trinity House, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

Supply.

Mr. Christie, from the Committee of the whole House, to consider of the Supply granted to Her Majesty, reported, according to Order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:--

1. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand five hundred pounds, currency, be granted to Her Majesty, to defray the expenses likely to be incurred for the re-organization of the Militia Force throughout the Province, for the year one thousand eight hundred and forty-six.
2. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, to defray the Salary of the Speaker of the Legislative Council, for the year one thousand eight hundred and forty-six.
3. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Legislative Council, for the year one thousand eight hundred and forty-six.
4. Resolved, As the opinion of this Committee, that a sum not exceeding seven hundred pounds, currency, be granted to Her Majesty, to defray the Salaries of two Assistant Clerks of the Legislative Council, for the year one thousand eight hundred and forty-six.
5. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty,

to defray the Salary of the Clerk of Committees, Law Clerk, and English Translator of the Legislative Council, for the year one

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thousand eight hundred and forty-six.

6. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and twenty-five pounds, currency, be granted to Her Majesty, to defray the Salary of the French Translator of the Legislative Council, for the year one thousand eight hundred and forty-six.
7. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Gentleman Usher of the Black Rod, for the year one thousand eight hundred and forty-six.
8. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Sergeant-at-Arms to the Legislative Council, for the year one thousand eight hundred and forty-six.
9. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred pounds currency, be granted to Her Majesty, to defray the Salary of the Chaplain and Librarian to the Legislative Council, for the year one thousand eight hundred and forty-six.
10. Resolved, As the opinion of this Committee, that a sum not exceeding sixty pounds, currency, be granted to Her Majesty, to defray the Salary of the Door-keeper of the Legislative Council, for the year one thousand eight hundred and forty-six.
11. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Head Messenger to the Legislative Council, for the year one thousand eight hundred and forty-six.
12. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and thirty-five pounds, currency, be granted to Her Majesty, to defray the Salaries of three Messengers to the Legislative Council, for the Session, at the rate of forty-five pounds each.
13. Resolved, As the opinion of this Committee, that a sum not exceeding five thousand pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Legislative Council, for the year one thousand eight hundred and forty-six.
14. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, to defray the Salary of the Speaker of the Legislative Assembly, for the year one thousand eight hundred and forty-six.
15. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Legislative Assembly, for the year

one thousand eight hundred and forty-six.

16. Resolved, As the opinion of this Committee, that a sum not exceeding four hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Assistant Clerk of the Legislative Assembly, for the year one thousand eight hundred and forty-six.
17. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the English Translator and Law Clerk to the Legislative Assembly, for the year one thousand eight hundred and forty-six.
18. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the French Translator to the Legislative Assembly, for the year one thousand eight hundred and forty-six.
19. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Sergeant-at-Arms to the Legislative Assembly for the year one thousand eight hundred and forty-six.
20. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the Clerk of the Crown in Chancery, for the year one thousand eight hundred and forty-six.
21. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-two thousand two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Legislative Assembly, including Sessional Allowances to the Members, for the year one thousand eight hundred and forty-six.
22. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and ninety-three pounds, six shillings and eightpence, currency, be granted to Her Majesty, to defray the Pension of William Smith, as late Clerk of the Legislative Council of Lower Canada, and Master in Chancery, for the year one thousand eight hundred and forty-six.
23. Resolved, As the opinion of this Committee, that a sum not exceeding sixty-six pounds, thirteen shillings and fourpence, currency, be granted to Her Majesty, to defray the Pension of William Ginger, as late Sergeant-at-Arms to the Legislative Council of Lower Canada, for the year one thousand eight hundred and forty-six.
24. Resolved, As the opinion of this Committee, that a sum not exceeding twenty pounds, currency, be granted to Her Majesty, to defray the Pension of Louis Noreau, as Messenger to the late Legislative Council of Lower Canada, for the year one thousand eight hundred and forty-six.
25. Resolved, As the opinion of this Committee, that a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the

Pension of Pierre Lacroix, as Messenger to the late Legislative Council of Lower Canada, for the year one thousand eight hundred and forty-six.

26. *Resolved, As the opinion of this Committee, that a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the Pension of Joseph Bolduc, as late Messenger of the Legislative Council of Lower Canada, for the year one thousand eight hundred and forty-six.*
27. *Resolved, As the opinion of this Committee, that a sum not exceeding sixty-six pounds, thirteen shillings and fourpence, currency, be granted to Her Majesty, to defray the Pension of Louis B. Pinguet, as Clerk of Committees to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-six.*
28. *Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Pension of Samuel Waller, as Clerk of Committees to the late House of Assembly of Lower Canada, for the year one thousand eight*

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hundred and forty-six.
29. *Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and thirty-three pounds, six shillings and eightpence, currency, be granted to her Majesty, to defray the Pension of David Jardine, as Clerk of Committees to the late House of Assembly of Upper Canada, for the year one thousand eight hundred and forty-six.*
30. *Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and thirty-three pounds, six shillings and eightpence, currency, be granted to Her Majesty, to defray the Pension of William Coates, as Clerk of Committees to the late House of Assembly of Upper Canada, for the year one thousand eight hundred and forty-six.*
31. *Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and thirty three pounds, six shillings and eightpence, currency, be granted to Her Majesty, to defray the Pension of Jasper Brewer, as late Librarian to the House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-six.*
32. *Resolved, As the opinion of this Committee, that a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the Pension of François Rodrigue, as Messenger to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-six.*
33. *Resolved, As the opinion of this Committee, that a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the Pension of Louis Gagné, as Messenger to the late House of Assembly of Lower Canada, for the year one thousand eight hundred and forty-six.*

34. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand two hundred and twenty-one pounds, fourteen shillings and twopence, currency, be granted to Her Majesty, for the relief of Foundlings and Indigent Sick Persons in the District of Quebec, for the year one thousand eight hundred and forty-six.
35. Resolved, As the opinion of this Committee, that a sum not exceeding six hundred and ninety-three pounds, ten shillings, currency, be granted to Her Majesty, for the relief of Foundlings and Indigent Sick Persons in the District of Montreal, for the year one thousand eight hundred and forty-six.
36. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand pounds, currency, be granted to Her Majesty, towards defraying, in part, the sum of three thousand and fifty-seven pounds, three shillings and fourpence, claimed by the Grey Nuns of Montreal, as arrears due to them on their expenditure in the care of Foundlings and Indigent Sick under their charge for the past years.
37. Resolved, As the opinion of this Committee, that a sum not exceeding seven hundred and fifty pounds, currency, be granted to Her Majesty, for the relief of Foundlings and Indigent Sick Persons in the District of Three Rivers, for the year one thousand eight hundred and forty-six.
38. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, as an aid to the Corporation of the General Hospital at Montreal, towards their expenses for the year one thousand eight hundred and forty-six.
39. Resolved, As the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty, as an aid to the Managers of the Protestant Female Orphan Asylum at Quebec, for the year one thousand eight hundred and forty-six.
40. Resolved, As the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty as an aid to the Ladies of the Benevolent Society at Montreal, for Widows and Orphans, for the year one thousand eight hundred and forty-six.
41. Resolved, As the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty, as an aid to the Roman Catholic Orphan Asylum at Quebec, for the year one thousand eight hundred and forty-six.
42. Resolved, As the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty, as an aid to the Montreal Protestant Orphan Asylum, for the year one thousand eight hundred and forty-six.
43. Resolved, As the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty, as an aid to the Male Orphan Asylum at Quebec, for the year one thousand eight hundred and forty-six.

44. *Resolved*, As the opinion of this Committee, that a sum not exceeding seventy-five pounds, currency, be granted to Her Majesty, as an aid to the Charitable Association of the Ladies of the Roman Catholic Orphan Asylum at Montreal, for the year one thousand eight hundred and forty-six.
45. *Resolved*, As the opinion of this Committee, that a sum not exceeding three thousand pounds, currency, be granted to Her Majesty, towards the support of the Temporary Lunatic Asylum at Toronto, including the expense of fitting up the East Wing of the Parliament Buildings there, as an addition to the Asylum, for the year one thousand eight hundred and forty-six.
46. *Resolved*, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, towards the support of the Toronto General Hospital, for the year one thousand eight hundred and forty-six.
47. *Resolved*, As the opinion of this Committee, that a sum not exceeding three hundred pounds, currency, be granted to Her Majesty, towards the support of the Toronto House of Industry, for the year one thousand eight hundred and forty-six.
48. *Resolved*, As the opinion of this Committee, that a sum not exceeding three hundred pounds, currency, be granted to Her Majesty, for the relief of Indigent Sick at Kingston, for the year one thousand eight hundred and forty-six.
49. *Resolved*, As the opinion of this Committee, that a sum not exceeding five thousand five hundred pounds, currency, be granted to Her Majesty, to defray the expenses for supporting the Temporary Lunatic Asylum at Beauport, near Quebec, for the year one thousand eight hundred and forty-six.
50. *Resolved*, As the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty, as an aid to the Medical Faculty of M'Gill College, for the year one thousand eight hundred and forty-six.
51. *Resolved*, As the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty,

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as an aid to the Montreal School of Medicine and Surgery, for the year one thousand eight hundred and forty-six.
52. *Resolved*, As the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, as an aid to the Literary and Historical Society at Quebec, for the year one thousand eight hundred and forty-six.
53. *Resolved*, As the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, as an aid to the Natural History Society at Montreal, for the year one thousand eight hundred and forty-six.

54. Resolved, As the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, as an aid to the Mechanic's Institute at Quebec, for the year one thousand eight hundred and forty-six.
55. Resolved, As the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, as an aid to the Mechanic's Institute at Montreal, for the year one thousand eight hundred and forty-six.
56. Resolved, As the opinion of this Committee, that a sum not exceeding thirteen thousand eight hundred and fifty pounds, currency, be granted to Her Majesty, for the support of the Provincial Penitentiary at Kingston, for the year one thousand eight hundred and forty-six.
57. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Salary of the French Translator of the Laws, for the year one thousand eight hundred and forty-six.
58. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-seven pounds, fifteen shillings and sixpence, currency, be granted to Her Majesty, to defray the Salary of the Inspector of Chimneys at Three Rivers, for the year one thousand eight hundred and forty-six.
59. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred pounds, currency, be granted to Her Majesty, as an allowance to the five Keepers of Dépôts of Provisions on the St. Lawrence, below Quebec, with a view to the relief of Shipwrecked Persons, for the year one thousand eight hundred and forty-six.
60. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and eighty-six pounds, currency, be granted to Her Majesty, for the purchase of Provisions for the Dépôts, for the year one thousand eight hundred and forty-six.
61. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-five pounds, currency, be granted to Her Majesty, as an allowance to Pierre Brochu, for residing on the Kempt Road, with a view to assisting Travellers on that Road, for the year one thousand eight hundred and forty-six.
62. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-five pounds, currency, be granted to Her Majesty, as an allowance to J. Noble, for residing on the Kempt Road, with a view to assisting Travellers on that Road, for the year one thousand eight hundred and forty-six.
63. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand eight hundred and sixty pounds, currency, be granted to Her Majesty, to defray the Expenses of Quarantine Establishments at Quebec and Grosse Isle, including excess of expenditure last year, for the year one thousand eight hundred and forty-six.

64. Resolved, As the opinion of this Committee, that a sum not exceeding five thousand pounds, currency, be granted to Her Majesty, to defray the Printing of the Laws, and other Printing for the Public Service, for the year one thousand eight hundred and forty-six.
65. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, to defray the expense of distributing the Laws.
66. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and eighty three pounds and fivepence, currency, be granted to Her Majesty, to defray the excess of expense of distributing the Laws for 1845, over the amount estimated.
67. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand pounds, currency, be granted to Her Majesty, to defray the ordinary repairs, alterations, rent, and care of Public Buildings, &c., for the year one thousand eight hundred and forty-six.
68. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray unforeseen expenses in the various branches of the Public Service, for the year one thousand eight hundred and forty-six.
69. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the expense of Enregistering Public Documents, &c., for the year one thousand eight hundred and forty-six.
70. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Contingent Expenses of the Office of the Clerk of the Crown in Chancery, for the year one thousand eight hundred and forty-six.
71. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand one hundred and sixty pounds, currency, be granted to Her Majesty, to defray the Assessment on Public Buildings, for the year one thousand eight hundred and forty-six.
72. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and fifty pounds, nineteen shillings and threepence, currency, be granted to Her Majesty, to defray the excess of assessment on Public Buildings at Montreal, over the estimate of 1845, for the year one thousand eight hundred and forty-six.
73. Resolved, As the opinion of this Committee, that a sum not exceeding seventy pounds, currency, be granted to Her Majesty, to defray the additional Salary to the Interpreters to the Courts at Quebec and Montreal, for the year one thousand eight hundred and forty-six.
74. Resolved, As the opinion of this Committee, that a sum not exceeding seven hundred and fifty pounds, currency, be granted to Her Majesty, to defray the proportion of expenses of keeping Light Houses on the Isles of St. Paul and Scattarie, for the year one thousand eight hundred and forty-six.

75. Resolved, As the opinion of this Committee, that a sum not exceeding four hundred and thirty-three pounds, seventeen shillings and eleven-pence, currency, be granted to Her Majesty, to defray the excess of expenditure for keeping Light Houses on the Isles of St. Paul and Scatterie, for the years one thousand eight hundred and forty-four
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- and one thousand eight hundred and forty-five, over and above the sum provided therefor.
76. Resolved, As the opinion of this Committee, that a sum not exceeding twenty pounds, currency, be granted to Her Majesty, to defray the Pension to Jean Brien, for wounds received in the Public Service, for the year one thousand eight hundred and forty-six.
77. Resolved, As the opinion of this Committee, that a sum not exceeding six hundred pounds, currency, be granted to Her Majesty, to defray the Travelling Allowance for Circuits, by Judges in Lower Canada, for the year one thousand eight hundred and forty-six.
78. Resolved, As the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, to defray the Travelling Expenses of Mr. Justice Fiset, on the Magdalen Islands Circuit, in the year one thousand eight hundred and forty-five.
79. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-five pounds, currency, be granted to Her Majesty, as a compensation to François Ahier, Commissioner for taking the census of the Magdalen Islands, for the amount paid by him for the hire of a schooner to perform the said service, and other extraordinary expenses incurred by him.
80. Resolved, As the opinion of this Committee, that a sum not exceeding ninety-six pounds, seven shillings and one penny, currency, be granted to Her Majesty, to compensate J. E. Turcotte, Esquire, for Translating into French the Index to the Statutes and Ordinances of Lower Canada, from the 3 Will. 4 to 4 Vic., inclusive.
81. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred and fifty pounds, currency, be granted to Her Majesty, to defray the expenses of Commissioners of Enquiry into the state of the Department of the Board of Works, for the year one thousand eight hundred and forty-six.
82. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the Expenses of the Commissioners of Enquiry into the state of the Department of the Crown Lands, for the year one thousand eight hundred and forty-six.
83. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and sixty-seven pounds, fifteen shillings and one penny, currency, be granted to Her Majesty, to make up the deficiency of the Funds of the Trinity House of Montreal, to the 31st December last.
84. Resolved, As the opinion of this Committee, that a sum not exceeding six hundred and fifty eight pounds, six shillings, currency, be granted

to Her Majesty, to make up the deficiency of the Decayed Pilot Fund at Montreal, caused by the defalcation of the late Secretary and Treasurer of the Trinity House of Montreal, and for three and one half years' interest thereon, viz. Deficiency, five hundred and forty-four pounds, one shilling. Interest one hundred and fourteen pounds, five shillings.

85. Resolved, As the opinion of this Committee, That a sum not exceeding seven pounds, ten shillings, currency, be granted to Her Majesty, to cover the expenses incurred by Felix Fortier, Esquire, Clerk of the Crown in Chancery, in removing self and family from Quebec to Montreal.
86. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and ninety-four pounds, fourteen shillings and four pence, currency, be granted to Her Majesty, to indemnify James Mitchell, Esquire, for expenses incurred in the care of the Light Houses at Turkey Point, on Lake Erie, in one thousand eight hundred and thirty-five and one thousand eight hundred and thirty-six.
87. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and thirty pounds, currency, be granted to Her Majesty, to remunerate John Geary, for work done by him on the Sarnia Road, over and above the appropriation for that Road.
88. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred pounds, currency, be granted to Her Majesty, for the erection of a Custom House at Dundee.
89. Resolved, As the opinion of this Committee, that a sum not exceeding seven hundred and fifty pounds, currency, be granted to Her Majesty, to defray Expenses of the Commission on Claims for Losses during the Troubles in the years one thousand eight hundred and thirty-seven and one thousand eight hundred and thirty-eight.
90. Resolved, As the opinion of this Committee, that a sum not exceeding four hundred pounds, currency, be granted to Her Majesty, to defray the Expense of Copying and Preserving the old French Records in the Archives at Quebec.
91. Resolved, As the opinion of this Committee, that a sum not exceeding seven hundred and forty-one pounds, three shillings, currency, be granted to Her Majesty, to defray the Expense of Printing and Distributing the Revised Statutes of Lower Canada, &c., over and above the appropriation for that service.
92. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and six pounds, three shillings and three-pence, currency, be granted to Her Majesty, to defray the Pension of Mrs. Margaret Powell, as late Housekeeper of the Public Offices at Toronto, from the date of the Union in the year one thousand eight hundred and forty-one, to the year one thousand eight hundred and forty-six inclusive, at the rate of thirty-five pounds per annum.

93. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and ninety-two pounds, one shilling and sevenpence, currency, be granted to Her Majesty, to indemnify A. J. Wolff, so much due to him, for expenses incurred in the years one thousand eight hundred and thirty-one and one thousand eight hundred and thirty-two in opening the Metis or Kempt Road.
94. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand pounds, currency, be granted to Her Majesty, for Repairs and Alterations to Gaols in Lower Canada, for the year one thousand eight hundred and forty-six.
95. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty, to enable Messrs. Hall and Thorburn, Commissioners for Works on Roads and Bridges in Canada West, under the Acts 7 Will. 4, cap. 107, and 2 Vic. cap. 56, to pay certain unadjusted claims against that Commission.
96. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to provide Books for the Department of the Executive Council.

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97. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and seventeen pounds, nineteen shillings and ninepence, currency, be granted to Her Majesty, to make up the deficiency of the Fund of the Marine Hospital, in the year one thousand eight hundred and forty-five, incurred by the extra number of Shipwrecked Seamen with frozen limbs, admitted into the Hospital.
98. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and twenty-one pounds, five shillings, currency, be granted to Her Majesty, to defray the expenses of Printing the Geological Reports, and for Translating a Report of Progress, in the year one thousand eight hundred and forty three.
99. Resolved, As the opinion of this Committee, that a sum not exceeding twenty pounds, currency, be granted to Her Majesty, to remunerate Dr. Leduc for his Professional Services to the wounded Rioters on the Beauharnois Canal, in the year one thousand eight hundred and forty-three.
100. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the Salary of the Secretary of the Royal Institution for the Advancement of Learning, for the year one thousand eight hundred and forty-six.
101. Resolved, As the opinion of this Committee, that a sum not exceeding sixty-seven pounds, fifteen shillings and sevenpence, currency, be granted to Her Majesty to defray the allowance to the Secretary of the Royal Institution for the Advancement of Learning, for a Clerk,

102. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand one hundred and eleven pounds, two shillings and twopence, currency, be granted to Her Majesty, as an aid to the Upper Canada College, for the year one thousand eight hundred and forty-six.
103. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, as an aid to Victoria College, for the year one thousand eight hundred and forty-six.
104. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, Currency, be granted to Her Majesty, as an aid to the Queen's College, for the year one thousand eight hundred and forty-six.
105. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and one thousand, five hundred and thirty-five pounds, three shillings and sevenpence, currency, be granted to Her Majesty, to complete the Welland Canal, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
106. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and eighty-one thousand nine hundred and twenty-five pounds, four shillings and sevenpence, currency, be granted to Her Majesty, to complete the St. Lawrence Canals, and including the expenditure of the fifteen thousand pounds granted by the Act 8 Vic., cap. 69, for forming a deep water Basin at the entrance of the Lachine Canal, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
107. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred and forty-nine pounds, four shillings and twopence, currency, be granted to Her Majesty, to complete the Cascades Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
108. Resolved, As the opinion of this Committee, that a sum not exceeding three thousand eight hundred and ninety-three pounds, twelve shillings and one penny currency, be granted to Her Majesty, to complete the improvements on the Ottawa, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
109. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand nine hundred and four pounds, six shillings and fivepence, currency, be granted to Her Majesty, to complete the Hamilton and Dover Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
110. Resolved As the opinion of this Committee, that a sum not exceeding thirteen thousand five hundred and ninety-seven pounds, seven shillings and fourpence, currency, be granted to Her Majesty, to complete Harbours and Light Houses, and Roads leading thereto, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.

111. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand six hundred and nineteen pounds, fourteen shillings and elevenpence, currency, be granted to Her Majesty, to complete the River Richelieu improvements, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
112. Resolved, As the opinion of this Committee, that a sum not exceeding six thousand, five hundred pounds, currency, be granted to Her Majesty, to complete the Main North Toronto Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
113. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand one hundred and eighty-one pounds, nine shillings and threepence, currency, be granted to Her Majesty, to complete the London, Chatham, Sandwich and Amherstburg Roads, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
114. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand one hundred and fifty-seven pounds, three shillings and twopence, currency, be granted to Her Majesty, to complete the Road from L'Original to the St. Lawrence, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
115. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for building a Bridge over the Champlain, in a dangerous state at present, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
116. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, for building a Bridge at Jacques Cartier, about three hundred yards below the present one, and improving the approaches thereto, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
117. Resolved, As the opinion of this Committee, that a sum not exceeding four thousand five hundred and sixty-four pounds, currency, be granted

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to Her Majesty, for works connected with the Gaspé Roads, viz.: Gaspé Roads from Percé Point to the settlements of Gaspé Basin, and from the little River Ristigouche to the mouth of the Matapedia; construction of the Metis and Rimouski Bridges; repairs of the Kenmore Bridge, and of the Roads in Percé, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.

118. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for improvements to the Chemin des Caps, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.

119. Resolved, As the opinion of this Committee, that a sum not exceeding seven thousand three hundred pounds, currency, be granted to Her Majesty, for building the following Bridges on the Road south of the St. Lawrence, over the Etchemin, Nicolet, Bécancour, Godefroy, Château-quay and Duchêne Rivers; to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
120. Resolved, As the opinion of this Committee, that a sum not exceeding ten thousand seven hundred and sixty-one pounds, currency, be granted to Her Majesty, for opening the Arthabaska Road, from the Gosford Road to Halifax, terminating in the Melbourne and Kingston Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
121. Resolved, As the opinion of this Committee, that a sum not exceeding nine thousand eight hundred pounds, currency, be granted to Her Majesty, for improving the Stage Road between St. John's, in the District of Montreal, and Stanstead, in the District of St. Francis, planking or otherwise improving between St. John's and Stanbridge Upper Mills, and improving sundry portions, including the Sutton and Potton Mountain Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
122. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, for improving the Grand River Swamp Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
123. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand five hundred pounds, currency, be granted to Her Majesty for improving Rouge Hill and Bridge, and another Hill and Bridge, East of the former, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
124. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand nine hundred and thirty-nine pounds, currency, be granted to Her Majesty, for improving the Road from L'Orignal to Bytown, by Hatfield, Clifford, Beckworth, and Green's Creeks, together with the building a Bridge across the narrow channel at the mouth of the Rideau, on the line of the Road, from the Gatineau Ferry to Bytown, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
125. Resolved, As the opinion of this Committee, that a sum not exceeding six thousand pounds, currency, be granted to Her Majesty, for improving the Trent Navigation, in completing the Works now in progress, and for the improvement of the Boundary Line from Asphodel to Peterboro', and for building a Bridge across the Otonabee at Peterboro' on the site of the old one, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
126. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and seventy pounds, currency, be granted to Her Majesty,

for liquidating the expenses incurred for the reconstruction of the Lancaster Bridge, damaged by the public works in progress on the River Trent, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.

127. Resolved, As the opinion of this Committee, that a sum not exceeding seven thousand three hundred and forty-two pounds, thirteen shillings and twopence, currency, be granted to Her Majesty, for the extension of the Piers and Wharf at the Rondeau Harbour to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
128. Resolved, As the opinion of this Committee, that a sum not exceeding four thousand eight hundred pounds, currency, be granted to Her Majesty, for the extension of the Piers, and opening inner Basin at Port Stanley Harbour, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
129. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-four thousand eight hundred and eighty-nine pounds, currency, be granted to Her Majesty, for the main Eastern Township Road from Chambly to Granby, &c., to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
130. Resolved, As the opinion of this Committee, that a sum not exceeding two thousand nine hundred pounds, currency, be granted to Her Majesty, for repairs and erection of Light Houses, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
131. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand one hundred and forty-six pounds, four shillings and sevenpence, currency, be granted to Her Majesty, for the completion of the works at Ste. Anne Rapids, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
132. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and twenty-two pounds, fourteen shillings and fourpence, currency, be granted to Her Majesty, for the following public works, viz.: one hundred and forty-four pounds, four shillings and tenpence, for Bayonne Bridge; seven pounds, three shillings for Gananogue Bridge; and seventy-one pounds, six shillings and sixpence, for the Toronto and Sauguin Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
133. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and twenty-five pounds, nineteen shillings and nine pence, currency, be granted to Her Majesty, for repairs to the Dover Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
134. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and eighty-seven pounds, currency, be granted to Her

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Majesty, for Lithographing Maps, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.

135. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and twenty-three pounds, seventeen shillings and one penny, currency, be granted to Her Majesty, for the Rice Lake Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
136. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and fifty-eight pounds, five shillings and elevenpence, currency, be granted to Her Majesty, for the Caledonia Bridge and Hamilton and Port Dover Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
137. Resolved, As the opinion of this Committee, that a sum not exceeding fifty-two pounds thirteen shillings, currency, be granted to Her Majesty, for Toll Houses on the Cascades Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
138. Resolved, As the opinion of this Committee, that a sum not exceeding fifty pounds, currency, be granted to Her Majesty, for Toll Houses on Port Stanley Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
139. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand nine hundred and sixty-nine pounds, one shilling and twopence, currency, be granted to Her Majesty, for the Rondeau Road, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
140. Resolved, As the opinion of this Committee, that a sum not exceeding sixty pounds, currency, be granted to Her Majesty, for raising a large Store in Toronto Harbour, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
141. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and seven pounds nine shillings, currency, be granted to Her Majesty, for repairs to the Chaudière Bridge, and removal of Toll Houses, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
142. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, to defray the expense of placing two Booms at the mouth of the River Trent, at the foot of Crow Bay, and mouth of Crow River, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
143. Resolved, As the opinion of this Committee, that a sum not exceeding ninety-one pounds, seven shillings and sevenpence, currency, be

granted to Her Majesty, to pay a balance remaining due to Mr. J. L. Wilkinson, Contractor, for the construction of the Union Suspension Bridge, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.

144. Resolved, As the opinion of this Committee, that a sum not exceeding six thousand pounds, currency, be granted to Her Majesty, towards defraying a portion of the Contingent Expenses of the Administration of Justice in that section of the Province late Upper Canada.
145. Resolved, As the opinion of this Committee, that a sum not exceeding twenty-three pounds, fifteen shillings, currency, be granted to Her Majesty, to reimburse M. MacIver, moneys advanced by his late father, Evander MacIver, towards rebuilding the Bridge over the River Batiscan.
146. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to compensate the Mercantile Library Association of Montreal, for losses sustained in consequence of the removal of the Institution from the St. Anne's Market.
147. Resolved, As the opinion of this Committee, that a sum not exceeding sixty pounds, currency, be granted to Her Majesty, for an allowance to cover the Travelling Expenses of the two Circuit Judges in the District of Quebec, at thirty pounds each.
148. Resolved, As the opinion of this Committee, that a sum not exceeding fifty-eight pounds, seventeen shillings, currency, be granted to Her Majesty, to cover the amount due to certain persons for Road Work, performed in the year one thousand eight hundred and thirty-seven, in the Townships of Cornwall and Roxburgh, under the authority of the Provincial Statute, 7 Will 4, cap. 107, and 2 Vic., cap. 56.
149. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and fifty-four pounds, six shillings, currency, be granted to Her Majesty, for the payment of certain Old Claims outstanding against the original appropriation for Works on the Ottawa.
150. Resolved, As the opinion of this Committee, that a sum not exceeding one hundred and twenty pounds, currency, be granted to Her Majesty, for the expense of erecting Log Huts, as stations on the Bagot Road, to afford shelter to Travellers in Winter.
151. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand one hundred and eighty-one pounds, ten shillings and threepence, currency, be granted to Her Majesty, to meet the Claims of Reid and Sheppard, against the late Commissioners of the Cornwall Canal.
152. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to indemnify the Lutheran Congregation of Williamsburgh, for the loss of Land originally set apart for their accommodation.

153. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred and thirty-eight pounds, six shillings and fourpence, currency, be granted to Her Majesty, to indemnify Messrs. G. S. Boulton and Z. Burnham, for moneys expended by them in the improvements of the navigation of the Inland Waters of the Newcastle District.
154. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and twenty-five pounds and twopence, currency, be granted to Her Majesty, to complete the London, Chatham, and Amherstburgh Road.
155. Resolved, As the opinion of this Committee, that a sum not exceeding three hundred and thirty-nine pounds, eight shillings and ninepence, currency, be granted to Her Majesty, for the liquidation of the balance due on the amount of Debentures issued by the late Commissioners for the St. Lawrence improvements.
156. Resolved, As the opinion of this Committee, that a sum not exceeding one thousand five hundred pounds, currency, be granted to Her Majesty,

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to make good the damages caused by the Works carried on for the improvements on the River Trent in the Newcastle District.

157. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for Contingent Expenses attending the Re-organization of the Militia of the Province.
158. Resolved, As the opinion of this Committee, that a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to meet the Expenses of the Commissioners on the Claims for Losses during the Political Troubles of the years one thousand eight hundred and thirty-seven and one thousand eight hundred and thirty eight, in Lower Canada.

Ordered, That the question of concurrency be now separately put upon the said Resolutions.

And the first to the forty-ninth of the said Resolutions inclusively, being again severally read, and the question being separately put upon each, they were agreed to by the House.

The fiftieth and fifty-first of the said Resolutions being again severally read;

The Honourable Mr. Cayley moved, seconded by the Honourable Mr. Attorney General Smith, that the said Resolutions be re-committed to the Committee of the whole House, to consider of the Supply granted to Her Majesty.¹²

DR. NELSON said that it might have been supposed that there would have been sufficient respect for the opinion expressed by the House yesterday, to prevent this question being again brought under discussion. He contended that the Legislation now sought to be carried out was calculated to continue an odious monopoly¹³ from which the French Canadians derived no benefit¹⁴. It was like telling Lower Canadians--and he wished to draw the attention of the Upper Canadian members to the fact--that they should not be allowed to study Medicine in the French language, for

no lectures in that tongue had ever been given at the McGill College except some little resume or synopsis. If this measure were passed it would be paying a very poor compliment to the people of Lower Canada, and he should recommend his friends from that part of the country to abandon, for the future, that principle of non-interference which had hitherto actuated them when educational grants for Upper Canada came before them. Could any gentleman say there was any superiority in the old over the new school, or that the one school was approved of by the country in preference to the other, or was supported by the medical profession rather than the other?¹⁵ He considered it as an injustice to the other Institution, and a proscription of the Canadians.¹⁶ He wished it to be understood, that this measure would inflict a grievous insult upon the French Canadian population.¹⁷

MR. INSP. GEN. CAYLEY said, that the member for Richelieu had not stated that question fairly, to call this vote a wrong to the French Canadians and another Institution. McGill College had received this grant for years, and the real question was whether¹⁸ the House should rob an old institution to give to another which had only been in existence a few months. He could not consent to that.--If it were necessary to give this sum to the New School, let it be brought up as a distinct motion and decided on its merits.¹⁹

MR. MOFFATT said, the Professors of the McGill College had been engaged for twenty years in the work of medical instruction, for many years without any assistance from Government. In 1836 and 1837 they closed their school on account of the troubles in the country, and it remained closed, until, in 1841, the Government of the day begged of those gentlemen to revive their lectures. They acceded to the demand on the understanding that they were to have some public support, and he thought it would be a gross injustice now to deprive them of it. He conceived that this sum was given for the promotion of education in Lower Canada.²⁰

MR. SOL. GEN. SHERWOOD said he considered it would be doing an injustice to McGill College to take away a grant which it had always received; he would be willing to give to the new School every fair advantage it had a right to demand, and he would vote for a grant to it.²¹

MR. HALL said if any division was to take place, the Medical School of Quebec had a right to expect a share also.²²

DR. NELSON thought that it was a false idea to suppose that²³ the money granted to McGill College was devoted to the encouragement of learning²⁴, ((or)) was applied for the general purposes of the College. This was not the fact.²⁵ It had no philosophical apparatus, no anatomical preparations, it purchased nothing with the public money which would become public property; but the whole sum went into the private purses of the professors.²⁶ He was authorised to state, from his place in the House, that the hon. member for Montreal had expressed his determination to throw every possible obstacle in the way of any measure that could enable the New School to compete with the McGill College. He mentioned that on authority, although he would not, perhaps, have done so, had it not been

for the pertinacious opposition offered, two days consecutively by the hon. member.²⁷

MR. MOFFATT would say that the information which he had received, on the subject of this Institution, was directly opposed to that of the hon. member for Richelieu. The hon. member had asserted that there was no museum.²⁸

DR. NELSON said his observations did not apply to the museum.²⁹

MR. MOFFATT.--He said no anatomical preparations.³⁰

MR. MOFFATT resumed. Well, he was told there were preparations.³¹

DR. NELSON--Since when?³²

MR. MOFFATT knew nothing about that. The hon. gentlemen asserted that there were no preparations. He said that he was informed there were. He had never asserted that he would oppose the New School. What he had said was that he would support the Old School. He would not, at that moment, pledge himself on the question of the New School, but he would decidedly oppose taking anything away from the old.³³

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The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Boulton, Cayley, Colville, Daly, Attorney General Draper, Duggan, Ermatinger, Foster, Gowan, Hale, Hall, Macdonald of CORNWALL, M'Connell, Moffatt, Monro, Papineau, Petrie, Robinson, Seymour, Sherwood of BROCKVILLE, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, Stewart of BYTOWN, Stewart of PRÉSCOTT, Solicitor General Taschereau, and Viger.--(27.)

NAYS.

Armstrong, Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chauveau, Christie, DeBleury, Desaulniers, DeWitt, Drummond, Guillet, Jobin, LaFontaine, Lantier, Laterrière, Leslie, Macdonell of STORMONT, Merritt, Méthot, Morin, Nelson, Rousseau, Smith of WENTWORTH and Taché.--(26.)

So it was carried in the affirmative, and

Ordered, Accordingly.

The residue of the said Resolutions being again severally read, and the question being separately put upon each, they were agreed to by the House, and

Resolved, That this House doth concur with the Committee in the said Resolutions.

The Order of the Day for the House in Committee, to consider of the Supply granted to Her Majesty, being read;

The House accordingly resolved itself into the said Committee.

Mr. Christie took the Chair of the Committee,

MR. INSP. GEN. CAYLEY ((moved that the vote of Thursday be expunged)).³⁴

The vote ... was then expunged.³⁵

MR. INSP. GEN. CAYLEY then moved that £500 be granted to the Medical School of McGill College.³⁶

EVENING SITTING.

DR. NELSON went on to remark that there were many reasons for the establishment of this new school, among which was, the opportunity afforded by it to gentlemen who desired to take lessons in the French language. He repeated a good deal of what he had said on preceding occasions, and concluded by saying that the money granted to the new school would not be employed for the private advantage of the teachers, but in the purchase of apparatus, &c., which would become the property of the public.³⁷

MR. SMITH (Frontenac) replied that if the Professors of the McGill Medical School did put the money into their pockets, they were perfectly justified in doing so. He then read a letter signed by Mr. Leo Golding, and bearing date 16th September, 1839, in which it was expressly mentioned that the grant was intended as a salary for the lecturers.³⁸

The hon. member sat down amidst loud cries of "question."³⁹

MR. AYLWIN said that it might be all very well for hon. members to cry "question," but this was a matter that ought to be debated, and should be debated. The hon. member for Frontenac had placed himself in an extraordinary position; precisely in opposition to that which he had taken on a former occasion. The honorable gentleman will recollect (said Mr. Aylwin) that on another occasion, I made an application with reference to this same McGill College--I proposed, Sir, that £500 should be given to this Institution. That was resisted, Sir, and resisted successfully; and if the Journals were examined, I have no doubt that the name of the honorable member for Frontenac was one of those who voted against it.⁴⁰

"Hear, hear." from MR. GOWAN.⁴¹

MR. AYLWIN. The honorable member for Leeds says "hear hear". I particularly admire the fury of that hon. member; but Sir I proposed that grant for a great reason, Sir. Because Sir, the man who founded that institution was the master of my father (loud laughter.) My father respected that man, and I respected my father and I accordingly proposed that grant. (renewed laughter). This institution Sir has been infamously mismanaged, like another institution of a similar character in Upper Canada. Up to that moment every thing had gone wrong. There were too Universities and both had been burked--basely burked. (laughter). The hon. gentleman then went on to remark that when he made his application for McGill College he made it thinking that he did right, but he was sorry to say he made it for the use of men who did not deserve to have it. The school was a bad school, one that ought not to be supported, one that was constantly mismanaged. It was managed by a man who ought not to hold the position which he did hold in the country.⁴²

Name, name.⁴³

MR. AYLWIN.--Well he would name Dr. Bethune.⁴⁴

Is he the head of the medical school?⁴⁵

MR. AYLWIN.--He is the head of the College.⁴⁶

MR. GOWAN.--He has nothing to do with the College. What do you charge him with?⁴⁷

MR. AYLWIN.--I charge him exactly with the same course that has been taken by that man whose great supporter is the hon. member for Simcoe. I mean the Lord Bishop of Toronto.⁴⁸

MR. ROBINSON--I'm glad you charge him with nothing worse.⁴⁹

MR. AYLWIN--Take the two men and shake them together and they will be found the cause of all the evil in the country. (loud laughter) He would tell the hon. member for Simcoe that the man who received that gentleman when he landed at Quebec, a poor man and a member of the Church of Scotland--was his (Mr. Aylwin's) father. (Hear, hear.) Yes, he was a stranger and he was taken in; and since that he had taken many others in. (laughter.)⁵⁰

MR. AT. GEN. DRAPER asked which of the two individuals the last remark of the hon. member applied ((to))? (Laughter.)⁵¹

MR. AYLWIN said, perhaps the hon. Attorney General was one of those taken in. He (Mr. Aylwin) and his friends had been charged with being fond of stipulation⁵².

A voice stimulation tippulation--laughter.⁵³

MR. AYLWIN--Well, if the hon. gentleman makes me an offer, I will, perhaps stipulate. Perhaps I may stipulate for seven offices, the next time anything is vacant in the Prince Edward District. Three offices won't do for me. Do gentlemen think that three places would purchase his hon. friend on his right (Mr. Baldwin), or his hon. friend on his left (Mr. LaFontaine)? Would seven places even answer for such loose fish as that?⁵⁴

MR. SHERWOOD thought there was one place that would suit the hon. member.⁵⁵

MR. AYLWIN--What is that?⁵⁶

MR. SHERWOOD--The Attorney Generals.⁵⁷

MR. AYLWIN--Well, the place was so very small, that he did not know whether he would accept it. (Laughter.) He had seen ... strange stories about the Toronto College. It was said that instead of being a school of virtue, it was a school of vice. He had seen in the newspapers, though he must say the newspapers were liars, that the young men at the College had had intercourse with the young women next door. Yes, he had seen that.⁵⁸

A voice--"Oh, you saw it, did you?"⁵⁹

MR. AYLWIN.--Yes, he said he had seen it, (laughter)--no, he had not seen it, because, if he had, he would have done just the reverse of what John, Lord Bishop of Toronto, did--he would have stopped it--he would have stopped it. (Roars of laughter.) Now, any thing might be said against a member of Parliament. It might be said by the lying press that he was drunk--yes, drunk, and he ought to submit to it: it was his duty to submit to it--but with reference to a Bishop!--with reference to such a person--ought he to submit to it? He said No! With reference to the press, he despised them. They might write what they would of him, he despised them,⁶⁰ and that of Montreal in particular;⁶¹ but such a slander as that on a Bishop! Why, it was the duty of the Attorney General to file an ex officio information against the publisher. The hon. member concluded by drawing a comparison between the conduct of those hon. gentlemen who had voted against his motion for granting the £500, while he was Solicitor General, and those who now desired to give the same sum to such an institution as the McGill School of Medicine, while they refused to give anything to the New School of Medicine.⁶²

The question was finally put, and the grant to the Medical Faculty of the College confirmed.⁶³

The appropriation for Lake Saint Peter next came up, and warmly debated.⁶⁴

MR. WILLIAMS, went into a long detail of statistics to prove the expediency of improving the old channel in preference to the new channel. His proof was altogether drawn from the report of the Committee of that House on the subject.⁶⁵ ((He)) pointed out the great expenses incurred there, upon the new channel, without any estimate having been made. He also showed that the chart furnished by the Board of Works in 1844, was entirely erroneous.⁶⁶ ((He)) moved to apply the grant to improving the old channel.⁶⁷

MR. PETRIE moved, in amendment, that the grant be made for Lake St. Peter, leaving the responsibility upon the Government to devote it how they deemed best.⁶⁸ ((He)) stated that the new channel would not, in his opinion, even if finished, be sufficiently wide for any practicable purpose.⁶⁹

MR. ARMSTRONG said, that there had been a supplementary report furnished to the House by the Chairman of the Board of Works.⁷⁰ He found it mentioned there that Mr. Armstrong had turned Mr. Vaughan out of the Committee room; now, he asked Mr. Williams, as a gentleman, whether that was true.⁷¹

MR. WILLIAMS said, there could be nothing more false.⁷²

MR. J. S. MACDONALD, (Glengarry) said, in justice to Mr. Vaughan, it was fair to say, that he believed it was Captain Armstrong, the brother of the hon. member, who had opposed Mr. Vaughan's entrance.⁷³

MR. ARMSTRONG said, he thought that could not be.

The hon. gentlemen then went on to remark upon various parts of the report, comparing them as he went on with the supplemental report of the Board of Works.⁷⁴ It was used as an argument in favour of the new channel that it would save seven miles, when now it turns out there will only be a saving of a half mile or at most one mile, and there is now much less current in the new channel than in the old. Mr. A. read part of the evidence of Captain Rayside, and showed how it was contradicted by the evidence of other parties and the soundings taken by the hon. member for Durham, who had sounded every four minutes, though the captain of the steamboat did not wish to steer to those particular places to which he was requested⁷⁵. He ((Mr. Armstrong)) produced some amusement by describing an occurrence which happened on board the steamer on the survey, and which he said, hardly accorded with the good natured statement in the report, that every facility had been afforded by the people on board that vessel to the Select Committee. Captain Vaughan was taking the steamer through the new channel in a part where the soundings showed 19 feet water, when Mr. Williams desired to proceed in the direction of a certain buoy. Captain Vaughan said there was no necessity to do so. Mr. Williams insisted. Oh, Sir, said Captain Vaughan you are not the commander of the boat; upon which, Mr. Williams reminded him (Mr. Armstrong), strongly of the discipline of the quarter deck; when, with his manly voice, he exclaimed (sic) "hard a port, Sir," and the steamer was immediately steered in the required direction.⁷⁶ (Laughter.) This was the way that other parties had been deceived with respect to the depth of water in the different channels, as they had been steered to those parts only where there was deep water. Captain Vaughan said in his evidence, that the line, as given in the report of the Board of Works, was not correct, and yet it was on the faith of the correctness of this line that Captain Bayfield had recommended the new channel as being preferable to the old. By deepening the old channel, you would have given the trade of Montreal a broad channel of 1500 feet, and thereby much time would be saved in towage, as no steamboat would venture to tow up more than one ship through the new channel.⁷⁷

MR. WILLIAMS could not exemplify the absurdity of the operations in Lake St. Peter, better than by stating, that in the navigation of the St. Lawrence between this and Kingston, there are several points which project into the river, and an individual, instead of improving the natural channel, should say, "oh, the Province has plenty of money, and I am determined to get to Quebec in as straight a line as possible."⁷⁸ ((He)) then took up the supplemental report of Mr. Killaly, and declared that so far from that gentleman's statements being true as to the want of courtesy in the treatment accorded to him by the committee,⁷⁹ he (Mr. W.) could appeal to every member of that Committee, whether every respect was not paid to him? Their questions were framed in this spirit, for they said, "will you favour," "will you be pleased," &c? And it was not until he found that Mr. Killaly would not give them some information that they desired, that he was obliged to say, "you are compelled to answer."⁸⁰ Then again in the third paragraph, Mr. Killaly speaking of a reply sent to the Colonial Office, says, "this reply was sent to the Colonial Office, and was considered so perfectly satisfactory that Capt. Boxer was informed

he should apologise to me." Now, that was absurd--a Captain in the Navy told to apologise by the Colonial Office! Why, it was ridiculous; if it had been a Lord of the Admiralty who was represented as giving this direction it would be a very different thing. He could not control his feelings if he attempted to speak of the assertion, that Captain Vaughan had been refused admittance to the Committee Room; and he would therefore forbear. In the next paragraph Mr. Killaly complained of not having seen the report of the Committee till after it was printed. Now, the act was, that Mr. Killaly had had ample opportunities given him to correct any part of his evidence if he had thought it necessary to do so. He did not take advantage, however, of those opportunities, but waited until after the report was printed, and then desired to make some alterations, which he (Mr. Williams) would not allow. Mr. Killaly complained that he had not been invited by the Committee to accompany them; but the truth was that the Committee were invited by Mr. Killaly. Mr. Killaly asserted that certain communications from Captains Bayfield and Beaufort, were neither public or official; yet he had published those communications in his report in order to sanction his proceedings. Farther on it was said, that nothing appeared in the report of the Committee to contradict his (Mr. Killaly's) estimates. Now, he (Mr. Williams) was anxious to contradict no one, but he had taken pains to lay the facts before the House, and he would ask if any one pretended to disprove them?⁸¹ He (Mr. W.) wanted to save a useless expense of money, and he had no feelings to gratify, further than to shew that he was qualified to perform the duty that the House had imposed upon him.⁸² It was perfectly true that other parties, such as the Commissioners of enquiry into the proceedings of the Board of Works, had arrived at a different conclusion from that to which he had come. He had no desire to impugn their statement, which had been made, no doubt, conscientiously, but then he did say, that those gentlemen were not so well fitted⁸³ to give an opinion on the relative merits of the two channels as he was, from his profession.⁸⁴ Had they, or could they have taken, or could they know as he knew the scupe (sic) of chain required for a vessel to ride at anchor in stormy weather. It was only fair to remark that the report as originally drafted did not conclude in the manner finally determined upon by the committee. He had proposed to suggest to the House whether it would not be adviseable (sic) to continue the new Channel, and had not intended, so far as his personal opinion was concerned, to express any absolute opinion against continuing the works.⁸⁵ The new channel can be carried out at the width of 150 feet for £9,500, but it will only be a partial benefit.⁸⁶

MR. SOL. GEN. SHERWOOD did not intend to defend the Chairman of the Board of Works, or to enter upon the discussion with respect to the relative merits of the different channels. But he considered that the House could not decide the question on account of the conflicting reports, and that it was better to leave it to the Government, who will certainly make proper enquiries before going on with the work.⁸⁷

MR. ROBINSON.--It is some consolation to him and the hon. member for North Lincoln, to know that there is a deep cut in Lower Canada as well

as in Upper Canada. If they were now about to commence the work on Lake St. Peter, he would certainly have been of the opinion that the old channel ought to have been improved, and the work have been begun at the lower part instead of the upper, as has been done. The work ought also to have been finished much sooner and cheaper. It would, in his opinion, be advisable to do the remainder of the work by contract; there was a person in Boston who would do the work for one shilling a yard, and the dredges, which are superior articles, could be profitably employed in the harbours of Upper Canada and Montreal. No contractor would pay £500 to a foreman, as the Board of Works have paid Captain Vaughan the superintendent of this work, besides allowing a certain sum for the board of the men. He was not inclined to stop the work; that would be penny wise and pound foolish, but he would test this narrow channel first, and leave it to the Executive to take such steps as will keep the money from being thrown away.⁸⁸

MR. J. S. MACDONALD, of Glengarry.--It will require a dredging machine to clear away the rubbish that has been created by the arguments on both sides; he was in favour of the amendment, for it left it with Government to decide upon the best channel, and they will be responsible to this house. Several of the captains of the regular traders of this port have given their opinion in favour of the new channel, and he was afraid that a great deal of the opposition to the new channel was the result of a combination to injure the trade of Montreal by keeping it at Quebec. If £9500 would make the new channel available, he was very willing to vote that sum; he did not consider that there was any danger of rafts grounding on this new channel, as he knew that very few rafts go to Quebec after the month of August, when the water is low.⁸⁹

MR. MOFFATT would feel great reluctance to abandon the straight channel, as such a channel had certainly advantages over a crooked one, if it could be made for anything like a reasonable expense; he (Mr. M.) regretted that this, as well as other public works, had been undertaken before proper surveys and estimates had been made; he would leave it to the Government to decide this question after they had caused further examinations to be made by competent individuals.⁹⁰

MR. MERRITT spoke in favour of the grant of £9,500 being laid out in continuing the straight line.⁹¹

MR. AT. GEN. SHERWOOD remarked that it was no enviable task to decide upon the course which should be taken with regard to this work, and he must confess that after all he had heard, he was at a loss to determine upon what ought to be done.⁹² He felt greatly embarrassed by the question as it then stood. Before the report drawn up by the committee of the house in favour of the old channel was presented, the objections to the new cut had not assumed a tangible shape; now, however, it was different, and there was evidently a necessity for further enquiry. After all he had heard, he felt he had no right to ask the house for a grant specifically for either channel; the appropriation of any further money could only take place after renewed enquiry,⁹³ but if the House resolved to leave the decision with the Government, he should of course be ready to accept the

responsibility.--He had been to surevey (sic) these works, in company with his hon. friend the Inspector General, and though he did not pretend to be very well acquainted with these subjects, yet his early life had given him some means of judging. He must say that it appeared to him that there was a current running through the new channel, and that it was sufficient to carry off the silt, stirred up by the chain rakes. In fact the water was discoloured by this means, for a long distance. It was also reported--though this did not come under the personal notice of his hon. friend and himself--that after getting through the channel, this stream ceased to run with any velocity, and that the silt from above had been deposited, so as to form a bar. If that were so, it was an additional confirmation to the belief that the machines were doing their work properly. The soil removed in this way, the House would understand, was only the ridges, left between the lines scooped out by dredging engines. Upon the whole, it would be a subject for grave consideration as to the course which ought to be adopted, but he was willing to accept the amendment of the hon. member for Russell if the House resolved to adopt it.⁹⁴

MR. BALDWIN said that after the conflicting evidence that had been adduced, he could not at that moment pretend to decide as to which channel was the most eligible; he would prefer that the sum proposed to be voted should be laid out in such a way as would be available, be the final decision what it might; but as he understood that could not be done, he saw no course but to leave it to be appropriated upon the responsibility of the Government; he did not wish to prevent the improvement of the Lake, nor could he, as the case then appeared, consent to tie the Ministers hands; they should proceed upon their own judgment and responsibility.⁹⁵

Mr. Petrie's motion was carried without a division.⁹⁶

The House then went into a Committee of Supply on the estimates.⁹⁷

The item of £9,987 for the payment of the claims, due for Rebellion Losses, allowed by the Commissioners, appointed to take evidence upon that subject ... ((was)) called.⁹⁸

MR. AT. GEN. SMITH explained that this vote was intended to give authority to the Government to borrow a sum of debentures, at 6 per cent, guaranteed by the marriage fee fund of Lower Canada; the fund arising from a similar source in U. C. to be appropriated to certain charitable institutions, hitherto charged on the Civil List.⁹⁹

MR. LAFONTAINE was not opposed to the payment of the Rebellion losses, but objected to the marriage license fund being appropriated to that purpose. Catholics did not contribute towards that fund for it was not necessary for them to apply to the civil authority for such license; and when he considered the source whence the fund was derived, he foresaw that sooner or later it would give rise to differences and discussion among the religious denominations and every one knows that since the Union with Upper Canada there had been too much of such discussions: He would therefore, prefer that the marriage license fund should be abolished altogether,

and that the several denominations who contribute towards it should each have the disposal of their own share. With regard to the charge in the appropriation of that part of the marriage license fund derived from Upper Canada he should say that he thought it would be made the pretext either of refusing the present allowances to the charities of Lower Canada or, of proposing that these charities be aided from some special fund.¹⁰⁰

MR. AT. GEN. SMITH denied that the Government had any such intention with regard to the charities of Lower Canada as that imputed to them by the hon. member for Terrebonne.¹⁰¹

The item was adopted.¹⁰²

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Christie reported that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same; and also that he was directed by the Committee to move for leave to sit again.

Ordered, That the Report be received to-morrow.

Ordered, That the said Committee have leave to sit again to-morrow.¹⁰³

Message from
Legislative
Council.

A Message from the Legislative Council, by
John Fennings Taylor, Esquire, one of the Masters
in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment.

Superior
Courts Bill,
(U.C.)

"An Act to provide for the Accommodation of
the Courts of Superior Jurisdiction in Upper
Canada."

Criminal Ad-
ministration of
Justice Bill,
(U.C.)

"An Act for defraying the expenses of the Ad-
ministration of Justice in Criminal Matters in that
part of the Province formerly Upper Canada."

Quebec Turn-
pike Roads
Bill.

"An Act to amend a certain Act, intituled,
An Act to amend a certain Ordinance therein
mentioned, relative to the Turnpike Roads near
Quebec."

Jesuits Estates
Revenue Bill.

"An Act for the appropriation of the Revenues
arising from the Jesuit's Estates, for the year one
thousand eight hundred and forty-six."

Gulf St. Law-
rence Improve-
ment Bill.

"An Act to authorize the appropriation of nine-
teen thousand pounds to the improvement of the Gulf
of St. Lawrence."

Smuggling
Bill.

"An Act for the further prevention of Smuggling."

Bankrupt
Laws Bill.

"An Act to continue and amend the Bankrupt
Laws now in force in this Province."

Also,

The Legislative Council have passed the following Bills with amendments,
to which they desire the concurrence of the Legislative Assembly:

Toronto In-
corporation.

"An Act to amend the Act of Incorporation of
the City of Toronto."

Notarial Pro-
fession Bill,
(L.C.).

"An Act for the better regulation of the Notarial
Profession in Lower Canada."

Cobourg In-
corporation
Bill.

"An Act to alter and amend the Act of Incorpo-
ration of the Town of Cobourg."

Also,

LEGISLATIVE COUNCIL,
Thursday, 4th June, 1846.

Hamilton In-
corporation
Bill.

Ordered, That one of the Masters in Chancery do go
down to the Legislative Assembly, and acquaint
that House that the Legislative Council have
agreed to the amendment made by the Legislative

Assembly, to the amendments made by the Legislative Council, to the Bill
intituled, "An Act to alter and amend the Act incorporating the Town of
Hamilton, and to erect the same into a City" without any amendment.

Also,

LEGISLATIVE COUNCIL,
Thursday, 4th June, 1846.

Postage.

Ordered, That one of the Masters in Chancery do go
down to the Legislative Assembly, and acquaint
that House that the Legislative Council have agreed to their Address to
Her Majesty on the subject of the transmission of the Mails to and from
Great Britain, and praying for a reduction of the rates of Postage, by
filling up the blank with "Legislative Council, and the"

Also,

LEGISLATIVE COUNCIL,
Thursday 4th June, 1846.

Ordered, That one of the Masters in Chancery do go down to the Legislative
Assembly, and acquaint that House that the Legislative Council have
passed the accompanying Address to His Excellency the Governor General,
on the subject of the transmission of the Mails to and from Great
Britain, and praying for a reduction of the rates of Postage, to which
they desire their concurrence.

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To His Excellency Lieutenant General, the Right Honourable Charles Murray,
Earl Cathcart of Cathcart, in the County of Renfrew, Knight Commander

of the most Honourable Military Order of the Bath, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, and Commander of Her Majesty's Forces in British North America, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council and of Canada, in Provincial Parliament assembled, beg leave to approach Your Excellency with our respectful request, that you will be pleased to transmit our Joint Address on the subject of the transmission of the Mails to and from Great Britain, and praying for a reduction of the rates of Postage, in such a way as Your Excellency may deem fit, in order that the same may be laid at the foot of the Throne.

R. E. CARON,
Speaker.

LEGISLATIVE COUNCIL,
Thursday 4th June, 1846.

And also,

LEGISLATIVE COUNCIL,
Thursday, 4th June, 1846.

Bytown In-
corporation
Bill.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, to desire a Conference in the Committee Room of the Legislative Council, to-morrow at five o'clock, P.M., upon the subject matter of the amendments made by this House to the Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein," to which the Assembly have disagreed.

And then he withdrew.

The Master in Chancery was then called in, and informed by Mr. Speaker, that this House will send an answer by Message.

On motion of Mr. Stewart of Bytown, seconded by Mr. Duggan,

Resolved, That this House doth agree to a Conference with the Honourable the Legislative Council, as desired by their Honours, upon the subject matter of the amendments made by their Honours to the Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein."

Resolved, That four Managers be appointed to meet the Managers to be appointed by the Legislative Council, at the time and place appointed for the holding of the said Conference.

Ordered, That Mr. Stewart of Bytown, Mr. Smith of Frontenac, Mr. Petrie, and Mr. Duggan, be appointed Managers for conducting the said Conference.

Resolved, That the said Resolutions and Order be communicated by Message to the Legislative Council.

Ordered, That Mr. Stewart of Bytown do carry the said Message to the Legislative Council.

Returns to Addresses.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,

L. E. Pacaud,
Esq.

Return to an Address from the Legislative Assembly to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the House, "all Correspondence which has taken place between His Excellency, His Predecessor, Lord Metcalf, and the Members of the Provincial Administration on one hand, and Louis Edouard Pacaud, Esquire, Commissioner of Bankrupts for the District of Three Rivers, on the other, relative to Mr. Pacaud's claim for remuneration and salary, for the services by him performed, and to be performed under the Act 7 Victoria, chapters 16 and 18."

(For the said Return see Appendix A.A.A.)

And also,

G. R. Burke,
Esq.

Return to an Address from the Legislative Assembly, to His Excellency the Governor General, dated the 29th ultimo, praying that His Excellency would cause to be laid before them, "a Copy of all Correspondence between the Provincial Government, the Crown Lands Department, and G. R. Burke, Esquire, of Bytown, in respect to the appointment or refusal of that Gentleman to the Office of Agent for the sale of Clergy Reserves."

(For the said Return see Appendix B.B.B.)

District Court Act Bill.

The Order of the Day for the second reading of the Bill to amend an Act, intituled, "An Act to amend, consolidate, and reduce into one Act the several Laws now in force, establishing or regulating the practice of the District Courts in that part of the Province formerly Upper Canada," being read;

Mr. Duggan moved, seconded by Mr. Seymour, that the said Bill be now read a second time.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Berthelot, Bouthillier, Chabot, Daly, DeWitt, Duggan, Ermatinger, Foster, Guillet, LaFontaine, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Moffatt, Morin, Rousseau, Seymour, Attorney General Smith, Taché, Solicitor General Taschereau, and Williams.--(25.)

NAYS.

Dickson, Gowan, Macdonald of CORNWALL, M'Connell, Petrie, Robinson, Sherwood of BROCKVILLE, and Stewart of PRESCOTT.--(8.)

*So it was carried in the affirmative,
And the said Bill was read accordingly.*

Mr. Duggan moved, seconded by Mr. Ermatinger, that the said Bill be Engrossed.

Mr. Macdonell of Cornwall moved, in amendment, seconded by Mr. Petrie, that all the words after "that" in the said motion, be struck out, and the following substituted, "the following words be added "to the first clause of the said Bill, viz. 'provided always, that the provisions of this Act shall not affect the present Incumbents.'"

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Boulton, Dickson, Lantier, Macdonald of CORNWALL, Merritt, Petrie, Robinson, Sherwood of BROCKVILLE, Stewart of BYTOWN, and Stewart of PRESCOTT.--(12.)

NAYS.

Bouthillier, Cauchon, Cayley, Chabot, Christie, DeWitt, Drummond, Duggan, Ermatinger, Foster, Gowan, Guillet, Hale, LaFontaine, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, M'Connell, Méthot, Moffatt, Morin, Rousseau, Seymour, Attorney General Smith, Taché, Solicitor General Taschereau, and Viger.--(29.)

So it passed in the negative.

The question being then put on the main motion, a division again ensued, and the names being called for, they were taken down as followeth:--

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YEAS.

Bouthillier, Cauchon, Cayley, Chabot, Christie, DeWitt, Drummond, Duggan, Ermatinger, Foster, Guillet, Hale, LaFontaine, Laterrière, Leslie, Macdonald of GLENGARRY, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Moffatt, Morin, Rousseau, Seymour, Attorney General Smith, Taché, Solicitor General Taschereau, Viger, and Williams.--(28.)

NAYS.

Armstrong, Baldwin, Boulton, Dickson, Gowan, Lantier, Macdonald of CORNWALL, M'Connell, Petrie, Robinson, Sherwood of BROCKVILLE, Stewart of BYTOWN, and Stewart of PRESCOTT.--(13.)

So it was carried in the affirmative, and

Ordered, That the said Bill be Engrossed.

Contingencies.

The Order of the Day for the House in Committee on the Fourth Report of the Standing Committee on Contingencies; on the Report of the Special Committee appointed to fix the Salaries and Allowances to the Officers and Messengers of the Legislative Assembly; and on the Fifth Report of the Standing Committee on

Contingencies, being read;

The House accordingly resolved itself into the said Committee.

Mr. Macdonell of Dundas, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Dundas reported, that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

1. Resolved, That the sum of twenty-five pounds be granted to Mrs. Catherine M'Lennan, widow of the late Hugh M'Lennan, late Doorkeeper of the Legislative Assembly, as a final settlement in full, of all claims respecting the services of her late husband.
2. Resolved, That the sum of thirty-one pounds ten shillings, be granted to Mrs. Julia Bell, widow of the late Aeneas Bell, formerly Chief Messenger of the House of Assembly, as a final settlement in full, of all claims for the past services of herself and her late husband.
3. Resolved, That there be granted to William Dixon, a Messenger of this House, a retired allowance of eighteen pounds per annum, to be paid from the Contingencies of this House, from the end of the present Session.
4. Resolved, That the sum of twenty-five pounds six shillings and ten pence, be paid to Mrs. Sophia Dalton, as the sum due to her late husband for printing for the House of Assembly, in the late Province of Upper Canada, as a final settlement of all claims for such services.
5. Resolved, That a fixed Salary be paid to each Officer and Servant of this House, in lieu of all other allowances, as follows:--

Officers and Messengers.	Per Annum.
	£. s. d.
1. W. B. Lindsay, Clerk, £750 per annum, to be taken as in lieu of all fees, allowances, and per centage, and to be continued only during the continuance in office of the present incumbent, in consideration of his long and faithful services; and thereafter to be fixed at £600 per annum.	
2. G. B. Faribault, Assistant Clerk, £550 per annum, to be taken in lieu of all allowances, and to be granted to the present incumbent only, in consideration of his long and faithful services during the Parliamentary Sessions, and in collecting historical documents for the Library of the House, and other services during the recess; and thereafter to be fixed at £450 per annum.	

		£	s.	d.
3.	G. W. Wicksteed, Law Clerk and English Translator	350	0	0
4.	W. P. Patrick, Chief Office Clerk	350	0	0
5.	W. Ross, Chief Clerk of Committees	350	0	0
6.	Henri Voyer, French Translator	250	0	0
7.	P. E. Gagnon, Clerk of French Journals	250	0	0
8.	G. M. Muir, Clerk of English Journals	250	0	0
9.	Alfred Patrick, Clerk of Committees	250	0	0
10.	Thomas Vaux, Second Office Clerk and Accountant	250	0	0
11.	Alfred Todd, Clerk of Committees	250	0	0
12.	W. B. Lindsay, Junior, Assistant Law Clerk and English Translator	200	0	0
13.	G. Levesque, Assistant French Translator	200	0	0
14.	D. P. Myrand do do	200	0	0
15.	J. Huston, do do	200	0	0
16.	William Winder, Librarian	200	0	0
17.	Alpheus Todd, Assistant Librarian	200	0	0
	(After the present incumbents shall cease to hold office, but one Librarian to be appointed)			
18.	Geo. K. Chisholm, Sergeant-at-Arms	200	0	0
19.	J. B. Moraud, Junior Clerk	150	0	0
20.	Thaddeus Patrick, Junior Clerk	150	0	0
21.	Henry Hartney	150	0	0
22.	King Barton			
23.	W. H. LeMoine			
24.	W. Spink			
25.	L. Berthelot	125	0	0
26.	H. B. Stuart			
	Acting as Extra Clerks, and to be placed on the permanent list of Clerks at			
	Extra Clerks, to be placed on the permanent list at	125	0	0
	<u>Messengers.</u>			
27.	A. L. Cardinal, Chief Messenger	150	0	0
28.	Robert Defries, Post Master	80	0	0
29.	John Cameron, Assistant Messenger to the present incumbent only	75	0	0
30.	John O'Connor, Doorkeeper	70	0	0

6. Resolved, That all of the foregoing Salaries shall commence and take effect from and after the first day of January, one thousand eight hundred and forty-six, and shall be taken and considered as an annual Salary, and not for the Session.

7. Resolved, That any Officer or Servant of the House, who may consider his services inadequately paid by the amount of Salary fixed in the preceding Schedule, be allowed to retire from the service of the House; and that the Clerk (with the approbation of the Speaker) be authorized to fill the vacancy.

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8. Resolved, That in reference to the work to be done in the Offices of this House during the recess, in arranging the Documents therein, and in copying and attending to the Printing of the Journals of the present Session, and other unfinished business in those Offices, it is to be

understood, in conformity with the recommendation contained in the Report on the Offices and Departments of the House, during the first Session (1841) of the last Parliament, that all the Officers of the House (including the Clerk and Clerk Assistant) are to complete and finish the whole of the work and business of the year; and that the labors of the recess shall, as nearly as possible, be by the Clerk so divided among the proper Officers under him, that a due proportionate share being allotted and performed by each, the printed Journals and other Documents may be placed in the hands of the Members as soon as possible after each Session, and further, that no charge for or payment for any extra work during the recess be hereafter allowed.

9. Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of William Burns Lindsay, Esquire, Clerk of this House, for a further sum of ten thousand one hundred and sixty-one pounds, eighteen shillings and one penny halfpenny, currency, on account of the Contingencies of this House, and assuring His Excellency that this House will make good the same.

Printed.

Ordered, That five hundred copies of the Address of this House, to Her Most Gracious Majesty the Queen, of the twelfth May last, on the subject of the proposed change in the Corn Laws, be printed for the use of the Members of this House.

Orders post-
poned.

Mr. Drummond moved, seconded by the Honourable Mr. LaFontaine, that the remaining Orders of the Day be postponed until to-morrow.

The question being put upon the said motion a division ensued:

Yeas	...	...	13
Nays	...	...	11

So it was carried in the Affirmative, and

Ordered, Accordingly.

Then, on motion of the Honourable Mr. LaFontaine, seconded by Mr. Drummond,

The House adjourned until to-morrow at Eleven o'clock, A.M.

FOOTNOTES - 5 JUNE 1846.

1. A commentary on this question is to be found in LE CANADIEN, 12 June 1846.
2. The debate on this matter was reported by: MIRROR, 5 June 1846, and PILOT, 11 June 1846, in identical accounts; MONTREAL GAZETTE, 6 June 1846, and MONTREAL TRANSCRIPT, 9 June 1846, in accounts which contain some identical speeches, and some which are completely dissimilar.
3. MIRROR, 5 June 1846.
4. MONTREAL GAZETTE, 6 June 1846.
5. MONTREAL TRANSCRIPT, 9 June 1846.
6. MONTREAL GAZETTE, 6 June 1846.
7. MIRROR, 5 June 1846.
8. IBID.
9. MONTREAL GAZETTE, 6 June 1846.
10. MONTREAL TRANSCRIPT, 9 June 1846.
11. MONTREAL GAZETTE, 6 June 1846.
12. The debate on this matter was reported by: MONTREAL GAZETTE, 6, 8 June 1846; LE JOURNAL DE QUEBEC, 9 June 1846; identically by the PILOT, 11 June 1846, and MIRROR, 5 June 1846, whose accounts of the discussion on McGill College funds were abbreviated versions of the MONTREAL TRANSCRIPT, 9 June 1846, but whose accounts of the discussion on the grants for the works of Lake St. Peter were dissimilar from the MONTREAL TRANSCRIPT's, 11 June 1846. LA MINERVE carried a much abbreviated summary of the account in MONTREAL TRANSCRIPT, 9 June 1846. The portion of the debate dealing with the House in Committee on the question of Rebellion Losses was reported in greater detail by KINGSTON NEWS, 15 June 1846, than by MONTREAL TRANSCRIPT, 11 June 1846.
13. MONTREAL TRANSCRIPT, 9 June 1846.
14. MONTREAL GAZETTE, 6 June 1846.
15. MONTREAL TRANSCRIPT, 9 June 1846.
16. MONTREAL GAZETTE, 6 June 1846.
17. MONTREAL TRANSCRIPT, 9 June 1846.
18. MONTREAL GAZETTE, 6 June 1846.
19. MONTREAL TRANSCRIPT, 9 June 1846.
20. IBID.
21. MONTREAL GAZETTE, 6 June 1846.
22. IBID.
23. MONTREAL TRANSCRIPT, 9 June 1846.
24. MONTREAL GAZETTE, 6 June 1846.
25. MONTREAL TRANSCRIPT, 9 June 1846.
26. MONTREAL GAZETTE, 6 June 1846.
27. MONTREAL TRANSCRIPT, 9 June 1846.
28. IBID.
29. MONTREAL GAZETTE, 6 June 1846.
30. MONTREAL TRANSCRIPT, 9 June 1846.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.

36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. MONTREAL GAZETTE, 8 June 1846.
62. MONTREAL TRANSCRIPT, 9 June 1846.
63. MONTREAL GAZETTE, 8 June 1846.
64. IBID.
65. MIRROR, 5 June 1846.
66. MONTREAL TRANSCRIPT, 11 June 1846.
67. MONTREAL GAZETTE, 8 June 1846.
68. IBID.
69. MONTREAL TRANSCRIPT, 11 June 1846.
70. IBID. LE JOURNAL DE QUEBEC, 9 June 1846, commented: "Au moment où la discussion était le plus animée, sur le rapport de M. Williams, la réponse imprimée de M. Killaly à ce rapport était mise entre les mains des membres; alors les débats prirent un caractère encore plus vif."
71. MONTREAL TRANSCRIPT, 11 June 1846.
72. IBID.
73. IBID.
74. IBID.
75. MIRROR, 5 June 1846.
76. MONTREAL TRANSCRIPT, 11 June 1846.
77. MIRROR, 5 June 1846.
78. IBID.
79. MONTREAL TRANSCRIPT, 11 June 1846.
80. MIRROR, 5 June 1846.

81. MONTREAL TRANSCRIPT, 11 June 1846.
82. MIRROR, 5 June 1846.
83. MONTREAL TRANSCRIPT, 11 June 1846.
84. MIRROR, 5 June 1846.
85. MONTREAL TRANSCRIPT, 11 June 1846.
86. MIRROR, 5 June 1846.
87. IBID.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. MONTREAL TRANSCRIPT, 11 June 1846.
93. MIRROR, 5 June 1846.
94. MONTREAL TRANSCRIPT, 11 June 1846.
95. MIRROR, 5 June 1846.
96. MONTREAL GAZETTE, 8 June 1846.
97. MONTREAL TRANSCRIPT, 11 June 1846.
98. KINGSTON NEWS, 15 June 1846.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. MONTREAL TRANSCRIPT, 11 June 1846 noted: "The House afterwards got through a great deal of business, without any discussion".

SATURDAY, 6 JUNE 1846.

11 O'Clock, A.M.

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District Court
Act Bill.

AN Engrossed Bill to amend an Act, intituled, "An Act to amend, consolidate, and reduce into one Act the several Laws now in force, establishing or regulating the Practice of the District Courts in that part of the Province formerly Upper Canada," was read for the third time.

Mr. Duggan moved, seconded by Mr. Cummings, that the Bill do pass, and the Title be, "An Act to amend an Act passed in the last Session of this Parliament, intituled, 'An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the Practice of District Courts in the several Districts of that part of this Province formerly Upper Canada.'"

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Chabot, Cummings, Daly, Attorney General Draper, Duggan, Ermatinger, Foster, Jobin, LaFontaine, Leslie, Macdonell of DUNDAS, Macdonell of STORMONT, Méthot, Scott, Solicitor General Sherwood, Smith of FRONTENAC, Attorney General Smith, and Williams.--(19.)

NAYS.

Dickson, Robinson, Sherwood of BROCKVILLE, Stewart of BYTOWN, and Stewart of PRESCOTT,--(5.)

So it was carried in the affirmative, and

Resolved, Accordingly.

Ordered, That Mr. Duggan do carry the said Bill to the Legislative Council, and desire their concurrence.

Petition read.

Pursuant to the Order of the Day the following Petition was read:--

Rev. R. Anderson, et al.

Of the Reverend Richard Anderson and others, of Ireland, Halifax, and Inverness, praying that a Clause may be introduced into all Railway Bills, to prevent the profanation of Sundays.

Hamnett
Pinhey, Esq.

Mr. Stewart of Bytown, from the Select Committee to which was referred the Petition of Hamnett Pinhey, Esquire, Warden of the Municipal Council of the District of Dalhousie, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix, C.C.C.)

St. Lawrence
Canals.

Mr. Merritt, from the Select Committee to which was referred the Return to an Address for the amount expended on the different Cuts of the St. Lawrence Canals, and the amount of Tolls received thereon, presented to the House the

Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix D.D.D.)

W. Gibson,
Esq. et al.

Mr. Jessup, from the Select Committee to which was referred the Petition of William Gibson, Esquire, and others, freeholders of the Township of Edwardsburgh, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:

Report.

Your Committee have proceeded, in accordance with the Order of reference, to investigate the merits of the Petition referred to them, and have agreed to report that the cases of the Petitioners deserve the serious attention of your Honourable House, and therefore respectfully recommend an Address to His Excellency, praying His Excellency to appoint two Commissioners who shall be Deputy Provincial Surveyors, to report the best method for relieving the Petitioners from the difficulties of their present situation.

On motion of Mr. Jessup, seconded by Mr. Sherwood of Brockville,
Address.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to appoint two Commissioners, who shall be Deputy Provincial Surveyors, to enquire into and report upon a certain alleged crooked Town Line between the Townships of Edwardsburgh and Matilda, to the end of having rectified any errors that may seem to exist in that particular.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Printed.

Ordered, That there be printed in each of the English and French Languages, for the use of the Members of this House, two hundred and fifty Copies of so much of the Return to an Address of this House to His Excellency the Governor General, for Copies

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of the Reports and Correspondence of E. G. De Rottermund, Chemist, heretofore attached to the Provincial Geological Department, as contains the Report of the said E. G. De Rottermund.

On motion of the Honourable Mr. Robinson, seconded by Mr. Duggan,

Postage.

Resolved, That this House doth concur in the Address of the Honourable the Legislative Council, to His Excellency the Governor General, requesting His Excellency to transmit the Joint Address to Her Majesty, on the subject of the transmission of the Mails to and from Great Britain; and also, praying for a reduction of the rates of Postage, in such a way as His Excellency may deem fit, in order that it may be laid at the foot of the Throne; that the blank therein be filled up with the words "Legislative Assembly," and that the said Address be signed by Mr. Speaker, on behalf of this House.

Resolved, That a Message be sent to the Honourable the Legislative Council, acquainting their Honours that this House hath agreed to the Address to His Excellency the Governor General, on the subject of the transmission of the Mails to and from Great Britain; and also, praying for a reduction of the rates of Postage.

Ordered, That the Honourable Mr. Robinson do carry the said Message to the Legislative Council.

Major Richardson.

Mr. Macdonell of Dundas, moved, seconded by Mr. Taché, that this House doth concur in the Report of the Select Committee, to which was referred the Petition of Major John Richardson, Superintendent of Police on the Welland Canal.¹

MR. G. MACDONELL, Dundas ... ((said that the)) report stated that Major Richardson claimed recompence for the loss of his situation, and a sum, also by way of compensation for clothing supplied to his police force. It must be evident that unless this force were clothed and disciplined, something like soldiers, they could have little weight with the men among whom they were called on to keep the peace. Major Richardson, an old soldier, had been appointed to take charge of these men, and he had very properly adopted the course to which he (Mr. McDonald) had alluded. The Act under which these police were appointed authorized the Government to arm and equip them. He thought that was clear enough: if the words of the act had directed them to be equipped only, there might be some difficulty about understanding it; but with the two words he could see no difficulty whatever. It might be said, however, that no particular instructions were given to Major Richardson to clothe these men; and as he did so, he did it on his own responsibility, and could not ask to be reimbursed in his expenses. Now, he (Mr. McDonald) did not look at the thing in that light. It was enough for him that the Legislature had ordered the men to be clothed and armed, without any instructions being issued by the Government. If indeed the Government had written to him to say he was not to get clothes and arms, the thing might have been very different. The next part of the report stated that an act of injustice had been done by dismissing Major Richardson, the Superintendent, and keeping the chief constable at the same salary as Major Richardson had formerly received. There appeared to have been no complaint of the conduct (sic) of Major Richardson, on the contrary the Administration had found themselves able to reduce the force. In conclusion the report expressed the opinion of the Committee that the men had been dismissed too abruptly. They were disbanded at only seven days notice, and after having been retained only 8 months instead of two years as was expected. Evidence had been received by the committee which showed that the men had suffered great damage in consequence of this proceeding on the part of Government and it was thought no more than just to concede to them, that which had been formerly conceded to some of the militia, that was to say a small gratuity to cover their expenses. The report also recommended a (sic) address to His Excellency.²

MR. AT. GEN. DRAPER would draw the attention of the House first to the recommendations of the committee and not to the fact of the case. The committee recommended an address to His Excellency for a sum of money to pay for the arms and equipments of these men in accordance with the act which authorized their enlistment. I find he lays great stress on that part of the Act which makes it lawful for the Governor General to arm and equip these men as if therefore, because it was lawful to do it, it must be done.--Without going back to the etymology of the word equipment which would be found to mean any thing else rather than clothing, he would urge some substantial reasons against the view taken by his learned friend. The first part of the report complained that the Government had done wrong in dismissing the superintendent of the force without sufficient notice. Now he would read from the correspondence which took place at the time of Major Richardsons appointment.³ ((He)) said, that the appointment of Major Richardson was expressly a temporary one; it was so set forth in the letter offering it to him, and accepted as such in his reply.⁴ Now there was clearly nothing held out in all this beyond the enjoyment of the office, just so long as the public exigencies required. He believed the result had shown that the Major's services were continued as long as they were required, because he was not aware that any evil consequences had originated from the reduction of the force. The committee thought too, that the Government ought to have continued the Superintendent so long as they continued any Constable, and complained that the Chief Constable had been retained at the same salary as Major Richardson had formerly received. Now, it must be remembered, that before this act was passed, there was a police force of some three or four men, with a Chief Constable, and when the recent reduction took place, the force was brought to the same footing as that upon which it had been established previously to the passage of the act which authorized the enlistment of the late force. Now, with regard to the recommendation of the Committee that payment should be accorded to the men for the clothing they had purchased,⁵ the Report set forth that injustice had been done to the men because Government had not provided them with clothes. Now the force was raised with the distinct understanding that the men were to clothe themselves, and they were paid accordingly.⁶ If these men were clothed it would be necessary to do the same thing for the police on the Williamsburgh Canal, who were engaged on the same conditions. That the men, and even the Superintendent himself, knew that this was the fact was evident from one of the papers appended to the report. This was an agreement entered into between Major Richardson and his men, by which the latter bound themselves to pay monthly instalments for the clothes that they authorized him to procure for them.⁷

MR. G. MACDONELL said, if the honourable gentlemen would turn to the evidence, he would find that they entered into that agreement with the assurance on the part of Major Richardson, that they would be paid by Government.⁸

MR. AT. GEN. DRAPER continued--If Major Richardson gave that assurance he did so on his own authority⁹, and the Government were not bound by such act.¹⁰ Did he apprise the Government of his intention to bind them to pay for these clothes? Not at all. If the hon. member for Dundas would

show any authority that he had to give the assurance, he (Mr. Draper) would have nothing more to say on the subject.¹¹ The only document which could in any way convey the impression that the Government intended to pay for this clothing, was a letter written by the Assistant Secretary West,¹² Mr. Hopkirk,¹³ after the force was disbanded, in reply to a question from Major R., whether the men were to be allowed to retain their clothing. This letter was written under the impression that the Welland Police Force was upon the same footing as the Lachine and Beauharnois which were previously established, and whose clothing was found by the Government: this error was corrected in a letter two days after. This evidence was given by Mr. Hopkirk before the Committee: but it was no where to be found in the Report, although it was the only even presumptive evidence which could be brought forward; and this was after the force was disbanded. If the men of this force were to be clothed, those of the other forces had just as good a right to expect it, although all were engaged with the understanding that they were to receive nothing of the sort.¹⁴ Under these circumstances, he thought the House would hesitate before it adopted the report.¹⁵

MR. MERRITT had voted against the proposition made by Ministers last year to establish this Police force though he was one of a trio who found themselves in the minority on that occasion. However, as the money was granted, and would be spent, it might as well be spent in paying for the Clothing of the men as in any other way.¹⁶

MR. DICKSON contended that the compensation recommended by the committee should be granted.¹⁷

MR. BALDWIN conceived that the reason given by the honorable member for Lincoln was a most extraordinary one. He seemed to desire to pay this money in order to get through the grant as quietly as possibly. However, though he could not be accused of any weakness to induce him to vote for the Ministry, he should be obliged to vote with them on this occasion.¹⁸

(334)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Cummings, Dickson, Laterrière, Macdonald of CORNWALL, Macdonell of DUNDAS, Macdonell of STORMONT, Merritt, and Taché.--(8.)

NAYS

Baldwin, Berthelot, Boulton, Bouthillier, Cauchon, Cayley, Chabot, Chauveau, Colville, Daly, DeBleury, Desaulniers, DeWitt, Attorney General Draper, Guillet, Hale, Jessup, Jobin, LaFontaine, Lantier, Laurin, LeMoine, Leslie, M'Connell, Méthot, Meyers, Moffatt, Morin, Papineau, Robinson, Rousseau, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, Stewart of PRESCOTT, Solicitor General Taschereau, and Williams.--(38.)

So it passed in the negative.

Bytown Incorporation Bill.

Mr. Stewart of Bytown reported, that the Managers on the part of this House, of the further Conference agreed upon with the Legislative Council, on the subject matter of the amendments made by their Honours, to the Engrossed Bill, intituled, "An Act to define the limits of Bytown, and to establish a Town Council therein," and to which this House have disagreed, had been at the time and place appointed for holding the said further Conference, and there met the Managers on behalf of the Legislative Council, who delivered to them their Reasons for insisting on their said amendments, and he delivered the said Reasons in, at the Clerk's table, where they were read as followeth:--

1st. Because, the third Monday (being the fifteenth day) of this instant month of June, would be too early a day to fix for the first election of Members for the Town Council of Bytown, particularly inasmuch as the Bill provides for public notice of the place of election being given at least six days previous to the election: and because the said first election, if not held on the day appointed by the Bill, could not be held on any other day, the thirty-sixth section of the Bill appearing by its context to relate only to subsequent elections, although not so expressed.

2nd. Because, it cannot be supposed that Her Majesty's Government holds landed property for purposes of speculation,--the presumption being, on the contrary, that all property belonging to the Crown is held for the interest of the community at large, and it ought therefore to be wholly exempt from taxation.

3rd. Because, the Legislative Council deem it but due to the memory of the gallant and meritorious Officer, to whose zeal, energy, and ability this Province is mainly indebted for the successful completion of the Rideau Canal, that the name of Bytown should be preserved from change; and because the Legislative Assembly has not given any reason for disagreeing to the amendment dictated by that feeling.

4th. Because, the streets in question having been laid out upon ground appropriated for that purpose by Her Majesty's Government, it is proper that the same should not be incumbered without the consent of Her Majesty's Government, and a power to give or withhold such consent is therefore given by the amendments, which the Legislative Council feels confident will not be abused.

5th. Because, the terms in which the penultimate clause of the Bill was worded, are held by the Legislative Council to be in many respects liable to objection.

6th. Because, the Clause which the Legislative Council proposed to add at the end of the Bill is in strict conformity with an article of the Royal Instructions to the Governors of this Province, relating to the enactment of laws by the Parliament of this Province.

On motion of Mr. Boulton, seconded by Mr. Hall.

Toronto Incorporation Bill.

Ordered, That the amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Act of Incorporation of the City of Toronto,"

be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 13.--After "annum" leave out from "to" to "City" in line 14, both inclusive.

" 7, " 39.--Leave out "acting" and insert "ruling."

" 12, " 5.--After "and" where it occurs for the first time, insert "in".

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Boulton do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Boulton, seconded by Mr. Sherwood of Brockville,

Cobourg In-
corporation
Bill.

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act to alter and amend the Act of Incorporation of the Town of Cobourg," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 8, Line 9.--Leave out "June" and insert "July."

" " " 22.--Leave out "June" and insert "July."

(335)

Press 13, Line 19.--After "for" insert "any one of."

" " " 35.--After "assessed" insert "shall and."

" 14, " 14.--Leave out "July" and insert "August."

" 15, " 23.--After "Town" insert "in."

And the said amendments being again read, they were agreed to by the House.

Ordered, That Mr. Boulton do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. Laurin, seconded by Mr. Méthot,

Notarial Pro-
fession Bill,
(L.C.)

Ordered, That the amendments made by the Legislative Council to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:--

Press 2, Line 1.--After "Secretary," insert "-Treasurer."

" " " 6.--Leave out "3rdly. A Treasurer who."

- Press 2, Line 10.--Leave out "4thly," and insert "3rdly."
 " 3, " 33.--After "Secretary," insert "-Treasurer."
 " 4, " 2.--Leave out "or Advocate."
 " " " 5.--After "Secretary," insert "-Treasurer."
 " 6, " 13.--Leave out "Secretary, Syndic, "nor Treasurer"
 and insert "Secretary-Treasurer, or "Syndic."
 " " " 33.--Leave out "Treasurer" and insert "Secretary-
 Treasurer."
 " 7, " 34.--After "Secretary" insert "-Treasurer."
 " " " 35.--After "Secretary" insert "-Treasurer."
 " " " 41.--After "Secretary" insert "-Treasurer."
 " " " 47.--After "Secretary" insert "-Treasurer."
 " 8, " 44.--After "ability," insert "and have made proof
 of having pursued for five years a regular
 course of study in some one or more of the
 Seminaries or Colleges named in the fourteenth
 section of this Act, or of otherwise having re-
 ceived a regular classical education, comprising
 at least a competent knowledge of the Latin
 language."
 " " " 45.--After "articles" insert "and an authentic copy of
 such articles, as well as of every assignment
 thereof, shall be filed in the Office of the
 Secretary-Treasurer of such Board within eight
 days from the date thereof, on pain of nullity.
 Provided always that nothing herein contained
 shall extend or be construed to extend to any
 Student whose Articles shall have been executed
 before the passing of this Act, or to affect the
 right of any such Student to obtain his admission
 as a Notary at the expiration of the term of such
 Articles, subject to the requirements of the laws
 in force at the time such Articles were executed,
 save and except, that every such Student shall
 cause an authentic Copy of his Articles to be filed
 in the Office of the Secretary-Treasurer of the
 Board of Notaries, within whose jurisdiction his
 Patron resides, within thirty days after the estab-
 lishment of such Board."
- Press 9, Line 17.--After "currency" insert "Clause A."

CLAUSE A.

"And be it enacted, That from and after the
 first day of January next, it shall be the duty of
 each and every Notary in Lower Canada, to number,
 consecutively, all Deeds, Contracts, or Instruments,
 which may be executed before him, and remain of re-
 cord in his office, (Etude,) and to note the number
 of each and every such Deed, Contract, or Instru-
 ment, in the margin of his repertory, opposite to
 the Entry of such Deed, Contract, or Instrument,
 as well as in every Copy thereof."

- " " " 19.--After "therein," insert "the number thereof, and."

- Press 11, Line 13.--After "Secretary," insert "-Treasurer."
 " " " 17.--After "Secretary," insert "-Treasurer."
 " " " 30.--After "Secretary," insert "-Treasurer."
 " 12, " 1.--After "Canada," insert "and that moreover, the
 Profession of Notary shall be incompatible with
 the Office of Registrar, of any Registry Office,
 and with the exercise of any other calling or
 profession."
 " " " 3.--After "Bench," insert "or that of Registrar."
 " " " 9.--After "Bench," insert "or that of Registrar."
 " " " 13.--After "Bench," insert "or that of Registrar."
 " " " 18.--After "Bench," insert "or that of Registrar."
 " " " 21.--After "offence," insert "and it shall be lawful
 for any of the said Boards of Notaries to suspend
 for a time, or to dismiss from Office, any Notary
 within its jurisdiction, who shall be lawfully
 convicted of having exercised at one and the same
 time, the Profession of a Notary, and any other
 calling or Profession: Provided always, that no
 Registrar now appointed shall be affected by the
 provisions of this Act."

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Press 12, Line 27.--After "accordingly," insert "Clause B."

CLAUSE B.

"And be it enacted, that any person assaulting
 or otherwise obstructing a Notary in the due exe-
 cution of his duty, as such, shall be guilty of a
 misdemeanor, and may, on conviction thereof be
 sentenced to the same punishment, as if he or she
 had been convicted of an assault upon a Peace
 Officer or Revenue Officer, in the execution of
 his duty."

- " " " 35.--Leave out "or less."
 " " " 44.--Leave out "Treasurer," and insert "Secretary-
 Treasurer."
 " 13, " 33.--In the Schedule,--After "Secretary," insert
 "-Treasurer."

Resolved, That this House doth disagree with the Legislative Council in
 the said amendments.

Resolved, That a Select Committee of three Members, composed of Mr.
Laurin, the Honourable Mr. Morin, and the Honourable Mr. LaFontaine,
 be appointed to draw up Reasons, to be offered to the Legislative
 Council at a Conference for disagreeing to the amendments made by
 their Honours to the Bill intituled, "An Act for the better regula-
 tion of the Notarial Profession in Lower Canada."

Hawkins
Plans.

The Honourable Mr. Aylwin moved, seconded by Mr. Chabot, that the Clerk of this House be authorised to obtain from Alfred Hawkins, Esquire, twenty-five Copies of his Plans of the Naval and Military Operations before Quebec, in 1759, a work illustrative of that interesting portion of history, so memorable in the progress of the British Arms, and characterised by the death in the moment of victory of the illustrious Wolfe.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Resolved, Accordingly.

Supply.

Mr. Christie, from the Committee of the whole House to consider of the Supply granted to Her Majesty, reported according to Order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:

1. Resolved, As the opinion of this Committee, that a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, as an aid to the Medical Faculty of McGill College.
2. Resolved, As the opinion of this Committee, that a sum not exceeding thirteen thousand one hundred and ten pounds, currency, be granted to Her Majesty, for works on the Ottawa and Roads connected therewith, as detailed in the several Reports of the Board of Works, to be raised by Debentures to be issued on the credit of the Consolidated Revenue Fund of this Province.
3. Resolved, As the opinion of this Committee, that a sum not exceeding nine thousand five hundred pounds, currency, be granted to Her Majesty, to improve the Navigation of Lake St. Peter.
4. Resolved, As the opinion of this Committee, that it is proper to provide for the payment of the sum of nine thousand nine hundred and eighty-six pounds seven shillings and two pence, the amount reported to be due under the Fourth and Fifth Reports of the Commissioners of Indemnity, to enquire into the Rebellion Losses of Lower Canada, and that for that purpose Debentures be issued to the said amount, bearing interest at the rate of six per centum per annum, redeemable by this Province at any time within twenty years, and that for the payment of the interest to accrue thereon, that portion of the Marriage License Fee Fund, raised and levied in that part of the Province heretofore called Lower Canada, be appropriated and set apart for that purpose.
5. Resolved, As the opinion of this Committee, that that portion of the Marriage License Fee Fund, raised and levied in that part of the Province heretofore called Upper Canada, be appropriated and set apart for the support of certain charitable Institutions in Upper Canada, in support of which the Consolidated Revenue has hitherto in part been chargeable, namely:--

The Toronto General Hospital,
The Toronto House of Industry,
The Kingston Indigent Sick,
The Upper Canada Lunatic Asylum.

To be applied in such manner and for such amounts, as the Governor in Council shall direct.

Ordered, That the question of concurrence be now separately put upon the said Resolutions.

And the first to the third of the said Resolutions being again severally read, and the question being separately put upon each, they were agreed to by the House.

*The fourth of the said Resolutions being again read,*¹⁹

MR. AT. GEN. SMITH, à l'appui de sa proposition, dit qu'il se bornait à ce vote, parce que les réclamations auxquelles il s'appliquait, étaient constatées, depuis longtemps, tandis que les autres ne l'étaient pas; que le mode de paiement était de prélever la somme requise par des debentures ou coupons, rachetables dans vingt ans, et portant intérêt²⁰ at 6 per cent.,²¹ payable au porteur; que pour la garantie de cet intérêt, le gouvernement proposait d'affecter spécialement la partie du fonds des licences de mariage, qui était payée dans le Bas-Canada; et que pour rendre justice aux droit du Haut-Canada sur le même fonds, l'on proposait en même temps d'appliquer la partie de ce fonds, prélevée dans le Haut-Canada, à subvenir au paiement des allocations portées jusqu'ici sur le fonds consolidé de la province au profit d'institutions de charités dans le Haut-Canada.²²

M. LAFONTAINE dit qu'il n'objectait pas au paiement des pertes dans le Bas-Canada, mais qu'il s'opposait au mode de paiement; qu'avant de procéder à faire valoir ses objections, il désirait savoir du ministère à combien se montait le fonds des licences des mariages dans le Bas et le Haut-Canada respectivement.²³

MR. INSP. GEN. CAYLEY, lui répondit que ce fonds était audessous de £500 dans le Bas-Canada, mais qu'il était de cinq fois plus que cette somme dans le Haut-Canada.²⁴

MR. LAFONTAINE dit qu'il savait qu'il en devait être ainsi; qu'il regardait ce fonds comme étant à la disposition de la législature; que, dans la dernière session, il avait donné lieu à une discussion importante; qu'alors il avait été suggéré par ... l'honorable membre de la ... cité de Montréal (M. Moffatt) que ce fonds, s'il était possible, fût remis aux dénominations religieuses qui y contribuaient; que lui M. LaFontaine approuvait cette suggestion; que les membres de l'église à laquelle il appartenait, les catholiques, n'y contribuaient nullement, n'étaient pas obligés de prendre de l'autorité civile ces licences de mariage; que, quand il pensait à la source d'où provenait ce fonds, il prévoyait que tôt ou tard il donnerait lieu à une discussion religieuse, et tout le monde savait que depuis notre union avec le Haut-Canada, nous n'avions déjà que trop de ces sortes de discussions; qu'il valait mieux ou abolir ce fonds, ou le rendre aux dénominations protestantes qui le fournissaient; qu'il ne s'opposait pas à ce que les allocations portées sur le fonds consolidé de la Province pour certaines institutions de charité dans le Haut-Canada, le fussent encore; qu'au contraire il désirait que ces allocations continuassent à l'être; qu'il voyait clairement, du moins

c'était là sa conviction, que cette mesure du ministère devait réagir injustement pour certaines institutions de charité dans le Bas-Canada; que le ministère n'avouait pas toute sa pensée, mais que lui devait dire la sienne toute entière; qu'il prévoyait que dès la prochaine session, le ministère proposerait de retrancher du fonds consolidé les allocations faites aux institutions de charité dans le Bas-Canada, sous le prétexte que ce fonds aura alors cessé de contribuer à des allocations de même nature pour le Haut-Canada, bien que par la mesure actuelle l'on soustrait à ce fonds une source de revenu suffisante, à ce qu'il paraît, pour garantir le paiement de ces mêmes allocations dans le Haut-Canada; que c'est ainsi que de spoliations en spoliations, on finira par priver toutes nos institutions de charité et religieuses des avantages qui leur étaient garantis avant l'union des Provinces; que l'une d'elles, l'une des plus anciennes de cette ville, avait déjà reçu officiellement un avertissement qui le justifiait lui, M. LaFontaine, d'exprimer cette pensée; que sur l'autre point de la question, il est surpris que l'administration ait pris si peu de soin pour se rendre aux désirs de la chambre; que, dès la dernière session, il avait dit aux membres du ministère, lorsqu'il s'est agi des £40,000 pour le Haut-Canada, qu'une partie des pertes dans le Bas-Canada avait été constatée par des rapports de la commission du Conseil Spécial, quoique lui n'approuvât pas le principe sur lequel cette commission avait admis ou rejeté certaines réclamations; qu'on disait alors, pour justifier la partialité avec laquelle on agissait pour le Haut Canada, que les pertes de cette dernière Province étaient duement constatée (sic); que lui M. LaFontaine l'avait nié, et qu'aujourd'hui l'administration lui a donné raison, puisque depuis la dernière session, elle a été obligée de nommer des commissions pour constater ces pertes dans le Haut-Canada; elles ne l'étaient donc pas auparavant? Que deviennent donc les assertions du ministère? Il nous disait aussi alors qu'aucune de ces pertes n'était constatée pour le Bas-Canada, et que c'était là la raison pour laquelle il ne proposait alors aucun vote de deniers pour les payer. Que fait-il aujourd'hui (sic)? Celles qu'il propose de payer, ont été constatées depuis plusieurs années comme il a déjà dit. A-t-il fait constater les autres? Non. Il n'a nommé la nouvelle commission qu'à la veille de la présente session, et cela, sans doute, pour avoir une espèce d'excuse de ne rien proposer aujourd'hui à cet égard; l'évènement le prouve. Quels sont les travaux de la nouvelle commission? Ils sont sans utilité pour ainsi dite, puisqu'ils ne nous fournissent pas les moyens d'asseoir une proposition de paiement. En effet ils ont fait un volumineux rapport, constatant seulement les noms et la résidence des réclamans, ainsi que le chiffre de la somme réclamée par chacun d'eux. Mais ce chiffre est-il exact ou non? Pas un mot des commissaires qui n'ont fait et n'ont pu faire aucune enquête à cet égard, puisqu'ils n'y étaient pas autorisés par leurs instructions. Ce ne sont donc pas eux qu'il faut blâmer. Encore s'ils avaient fait, par ordre alphabétique, la liste des noms des réclamans, il serait facile de trouver un nom particulier, mais ils ont fait inscrire tous ces noms pêle-mêle, de manière que, si vous voulez chercher le nom d'un individu, il faut une lecture de plusieurs heures.

M. LaFontaine ajouta qu'il y avait deux autres réclamations dont le montant avait été bien et duement constaté par les comités de cette chambre dans la dernière session; c'était celles des fabriques de St. Eustache et de St. Benoit, résultant de la destruction de leurs églises et presbytères. Le ministère ne peut ignorer ce fait; pourquoi ne propose-t-il pas le paiement de ces deux réclamations? Elles sont régulièrement constatées.²⁵

M. MOFFATT approuva la suggestion de remettre aux diverses dénominations religieuses le fonds des licences de mariage.²⁶

MR. AT. GEN. SMITH denied that the Government had any such intention with regard to the charities of Lower Canada as that imputed to them by the hon. member for Terrebonne.²⁷ ((Il)) dit que le fond des licences de mariage se trouverait réglé pour vingt ans par sa proposition²⁸.

(336)

and the question being put thereon, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Cayley, Colville, Daly, DeWitt, Ermatinger, Hale, Jessup, Macdonell of DUNDAS, M'Connell, Moffatt, Monro, Papineau, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, and Solicitor General Taschereau.--(20.)

NAYS.

Armstrong, Baldwin, Boulton, Bouthillier, Chabot, Desaulniers, Drummond, Guillet, Jobin, LaFontaine, Laterrière, Leslie, Macdonell of STORMONT, Nelson, Rousseau, and Taché.--(16.)

So it was carried in the affirmative.

The fifth and last of the said Resolutions being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Cayley, Colville, Daly, Ermatinger, Hale, Jessup, Macdonell of DUNDAS, M'Connell, Moffatt, Monro, Papineau, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, Smith of WENTWORTH, Stewart of BYTOWN, and Solicitor General Taschereau.--(19.)

NAYS.

Armstrong, Aylwin, Baldwin, Bouthillier, Chabot, Desaulniers, Drummond, Guillet, Jobin, LaFontaine, Laterrière, Leslie, Macdonell of STORMONT, Nelson, Rousseau and Taché.--(16.)

So it was carried in the affirmative, and

Resolved, That this House doth concur with the Committee in the said Resolutions.

Rebellion
Losses Bill.

Ordered, That the Honourable Mr. Attorney General Smith, have leave to bring in a Bill to provide for the payment of certain Rebellion

Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

(337)

The Honourable Mr. Attorney General Smith moved, seconded by the Honourable Mr. Cayley, that the said Bill be now read a second time, and that the Rule of this House in that particular be suspended, as to the present Bill.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as in the last preceding division.

So it was carried in the affirmative, and

The said Bill was accordingly read, and ordered to be Engrossed.

Supply Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill to appropriate the sums

therein mentioned, to defray certain expenses of the Civil Government, for the year one thousand eight hundred and forty-six, and certain other expenses not otherwise provided for.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered, That the said Bill be now read a second time, and that the Rule of this House in that particular be suspended, as to the present Bill.

The said Bill was accordingly read, and ordered to be Engrossed.

Loan Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill to authorise the raising

of the remainder of the Loan guaranteed by the Imperial Parliament.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered, That the said Bill be now read a second time, and that the Rule of this House in that particular be suspended, as to the present Bill. The said Bill was accordingly read, and ordered to be Engrossed.

Public Works
Bill.

Ordered, That the Honourable Mr. Cayley have leave to bring in a Bill for raising, on the credit of the Consolidated Revenue Fund, a sum of

money required for certain Public Works.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered, That the said Bill now read a second time, and that the Rule of this House in that particular be suspended, as to the present Bill.

The said Bill was accordingly read, and ordered to be Engrossed.

Public Lands
Bill.

The Honourable Mr. Laterrière moved, seconded by Mr. Chabot, that the Order of the Day for the House in Committee on the Bill to amend the Law relative to the disposal of Public Lands, be now read.

MR. COM. CR. LANDS PAPINEAU dit ... "qu'il laissait tomber son bill pour se soustraire aux importunités de M. Laterrière; qu'il ne voulait pas voir déchirer son bill par ses amendements."29

(337)

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Desaulniers, DeWitt, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Merritt, Méthot, Morin, Nelson, Rousseau, Smith of WENTWORTH, and Taché.--(20.)

NAYS.

Boulton, Cayley, Daly, Attorney General Draper, Duggan, Ermatinger, Gowan, Hale, Jessup, Macdonell of DUNDAS, M'Connell, Meyers, Moffatt, Monro, Papineau, Petrie, Robinson, Seymour, Smith of FRONTENAC, Attorney General Smith, and Solicitor General Taschereau.--(21.)

So it passed in the negative.

Spirituos
Liquors Duty
Bill.

The Honourable Mr. Cayley moved, seconded by the Honourable Mr. Attorney General Smith, that the Order of the Day for the House in Committee, on the Bill to repeal certain Acts therein mentioned, and to impose a Duty on persons selling Spirituous or Fermented Liquors, or keeping Houses or places of Public Entertainment, and to provide for the collection of the said Duty, and for the regulation of such persons, be now read.

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down as followeth:--

YEAS.

Boulton, Cayley, Daly, Attorney General Draper, Duggan, Ermatinger, Gowan, Hale, Jessup, Macdonell of DUNDAS, M'Connell, Merritt, Meyers, Moffatt, Monro, Papineau, Petrie, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Attorney General Smith, and Solicitor General Taschereau.--(23.)

NAYS.

Armstrong, Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chauveau, Desaulniers, DeWitt, Drummond, LaFontaine, Lantier, Laterrière, Laurin, Leslie, Méthot, Morin, Nelson, Rousseau, Smith of WENTWORTH, and Taché.--(21.)

So it was carried in the affirmative.

The Order of the Day for the House in Committee, on the Bill to repeal certain Acts therein mentioned, and to impose a Duty on persons

selling Spirituous or Fermented Liquors, or keeping Houses or places of Public Entertainment, and to provide for the collection of the said Duty, and for the regulation of such persons, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

Notarial Pro-
fession Bill,
(L.C.)

Mr. Laurin, from the Select Committee appointed to draw up Reasons to be offered to the Legislative Council at a Conference, for disagreeing to the amendments made by their Honours to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada," reported, that the Committee had prepared the said Reasons, which said Reasons were again read at the Clerk's table, and agreed to by the House, and are as followeth:--

1st. Because, the Office of Registrar is in nowise incompatible with that of Notary; the Office of Registrar alone would frequently be too ill paid to be held by a competent person, and Notaries are generally the persons best qualified to fill the said Office.

2nd. Because, by extending the disqualification generally, to any calling whatsoever, cases which cannot be foreseen would be included in a manner injurious to the public interest, and that uncertainty would be introduced with regard to those cases to which the Law was really meant to extend.

3rd. Because, the object of rendering the Profession respectable and independent, would be attained by confining the disqualification to Merchants, Traders, and Manufacturers.

4th. Because, a longer period than six months ought to be allowed to the latter for winding up their affairs.

Resolved, That a Conference be desired with the Honourable the Legislative Council, for the purpose of communicating to them the Reasons which induced this House not to concur in the amendments made by their Honours to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada."

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Ordered, That Mr. Laurin do go to the Legislative Council, and desire the said conference.

Public Lands
Bill.

The Order of the Day for the second reading of the Bill to extend the provisions of the 13th Section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands, and to amend the said Act in other respects; and further, to provide for the final settlement of Land Claims," being read;

The said Bill was accordingly read, and committed to a Committee of the whole House.

Mr. Macdonell of Dundas took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Macdonell of Dundas reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Loan Bill. An Engrossed Bill to authorize the raising of the remainder of the Loan guaranteed by the Imperial Parliament, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Rebellion Losses Bill. An Engrossed Bill to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Attorney General Smith do carry the said Bill to the Legislative Council, and desire their concurrence.

Supply Bill. An Engrossed Bill to appropriate the sums therein mentioned to defray certain expenses of the Civil Government, for the year one thousand eight hundred and forty-six, and certain other expenses not otherwise provided for, was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to appropriate the sums therein mentioned, to defray certain expenses of the Civil Government, for the year one thousand eight hundred and forty-six, and certain other expenses not otherwise provided for."

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Public Works Bill. An Engrossed Bill for raising, on the credit of the Consolidated Revenue Fund, a sum of money required for certain Public Works, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Cayley do carry the said Bill to the Legislative Council, and desire their concurrence.

Municipal Bill, The Order of the Day for the House in Committee
(L.C.) on the Bill to repeal the Acts therein mentioned, and to amend the Law for the establishment of Local and Municipal Authorities in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Stewart of Bytown took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Stewart of Bytown reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again on Monday next.

Message from Governor General.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:--

CATHCART.

Members Sessional Allowance, and Contingencies.

The Governor General informs the Legislative Assembly, that in compliance with their Addresses of the 5th instant, He will issue His Warrants in favor of the Honourable the Speaker, for the sum of nine thousand two hundred and thirty-seven pounds, three shillings, currency, and for the sum of ten thousand one hundred and sixty-one pounds, eighteen shillings and one penny half-penny, currency, in favor of W. B. Lindsay, Esquire, for defraying the Contingencies of the present Session.

GOVERNMENT HOUSE,

6th June, 1846.

Message from Legislative Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER.

The Legislative Council have passed the following Bills without any amendment:

Municipal Bill, (U. C.)

"An Act to amend the Laws relative to District Councils in Upper Canada."

Quebec Relief Bill.

"And Act for enabling Her Majesty to direct the issue of Debentures to a limited amount, and for giving relief to the City of Quebec."

Dorchester Registry Office Bill.

"An Act to establish a separate Registry Office in the Lower part of the County of Dorchester."

Lunatic Asylum Bill, Toronto.

"An Act to authorise the issue of Debentures for the erection of a Lunatic Asylum at Toronto."

Jews Privileges Bill.

"An Act to amend the Act of Lower Canada therein mentioned, extending certain privileges to persons of the Jewish persuasion."

And also,

Etobicoke
Road Bill.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate certain persons, under the name of 'the Etobicoke and Mono Sixth Line Road Company,'" with an amendment, to which they desire the concurrence of the Assembly.

And then he withdrew.

Message from
Legislative
Council.

Another Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

MR. SPEAKER,

Board of
Works Bill.

The Legislative Council have passed the Bill intituled, "An Act to amend the Law constituting the Board of Works," with an amendment, to which they desire the concurrence of the Assembly.

And also,

LEGISLATIVE COUNCIL,
Saturday, 6th June, 1846.

Notarial Pro-
fession Bill.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council agrees to the Conference desired upon the subject matter of the amendments made by this House to the Bill intituled, "An Act for the better regulating of the Notarial Profession in Lower Canada," and that the Managers on the part of this House are to be the Honourable Messieurs Bruneau and Walker, who are to meet the number of Managers on the part of the Legislative Assembly required by Parliamentary usage, on Monday next, at 4 o'clock, P.M., in the Committee Room of the Legislative Council.

And then he withdrew.

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On motion of the Honourable Mr. Robinson, seconded by Mr. Duggan,

Etobicoke
Road Bill.

Ordered, That the amendment made by the Legislative Council to the Bill intituled, "An Act to incorporate certain persons under the name of 'the Etobicoke and Mono Sixth Line Road Company,'" be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

Press 7, Line 28.--Leave out from "and" to "toll" in line 32, both inclusive.

And the said amendment being again read, it was agreed to by the House.

Ordered, That Mr. Duggan do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of the Honourable Mr. Attorney General Smith, seconded by the Honourable Mr. Cayley.

Board of
Works Bill.

Ordered, That the amendment made by the Legislative Council to the Bill intituled, "An Act to amend the Law constituting the Board of Works," be now taken into consideration.

The House proceeded accordingly to take the said amendment into consideration.

And the said amendment was read, and is as followeth:--

In Schedule B 5.--After the words "all Clergymen to be exempt," in the column headed "General conditions of payment," in the said Schedule, insert, "All persons going to or returning from Divine Service on Sundays, together with their horses and carriages, to be exempt."

And the said amendment being again read, it was agreed to by the House.

Ordered, That the Honourable Mr. Cayley do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendment.

On motion of the Honourable Mr. Moffatt, seconded by the Honourable Mr. Robinson.

Journals of the House.

Ordered, That the Clerk of this House be directed to transmit to the Board of Trade of Montreal, a complete set of the Journals and Appendixes

of this House since the Union.

On motion of the Honourable Mr. LaFontaine, seconded by Mr. Leslie,

Ordered, That the Honourable the Judges of the Courts of Queen's Bench in this Province, be henceforth furnished with a copy of the Journals and Appendixes of this House.

Public Lands Bill.

An Engrossed Bill to extend the provisions of the 13th Section of an Act of the Province of Canada, intituled, "An Act for the disposal of Public Lands, and to amend the said Act in other respects, and further to provide for the final settlement of Land Claims," was read for the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to extend the provisions of the thirteenth Section of an Act of the Province of Canada, intituled, 'An Act for the disposal of Public Lands, and to amend the said Act in other respects, and further to provide for the final settlement of Land Claims.'"

Ordered, That Mr. Macdonell of Stormont do carry the said Bill to the Legislative Council, and desire their concurrence.

Then, on motion of the Honourable Mr. LaFontaine, seconded by Mr. Armstrong,
The House adjourned until Monday next, at Eleven o'clock, A.M.

APPENDIX 6 JUNE 1846.

((QUESTION AND ANSWER RE: ABSENCE OF D. B. VIGER.))

((Quelqu'un))...a demandé où était celui qui croyait en danger la vie et la liberté des citoyens ((M. Viger)), et qui cependant ne se trouvait pas à sa place pour se hâter de les secourir³⁰.

MR. AT. GEN. SMITH répondit qu'il était malade d'avoir trop travailler.³¹

FOOTNOTES - 6 June 1846

1. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 11 June 1846; and ST. CATHARINES JOURNAL, 18 June 1846.
2. MONTREAL TRANSCRIPT, 11 June 1846.
3. IBID.
4. ST. CATHARINES JOURNAL, 18 June 1846.
5. MONTREAL TRANSCRIPT, 11 June 1846.
6. ST. CATHARINES JOURNAL, 18 June 1846.
7. MONTREAL TRANSCRIPT, 11 June 1846.
8. ST. CATHARINES JOURNAL, 18 June 1846.
9. MONTREAL TRANSCRIPT, 11 June 1846.
10. ST. CATHARINES JOURNAL, 18 June 1846.
11. MONTREAL TRANSCRIPT, 11 June 1846.
12. ST. CATHARINES JOURNAL, 18 June 1846.
13. MONTREAL TRANSCRIPT, 11 June 1846.
14. ST. CATHARINES JOURNAL, 18 June 1846.
15. MONTREAL TRANSCRIPT, 11 June 1846.
16. IBID.
17. IBID.
18. IBID.
19. The debate on this matter was reported by: MIRROR, 6 June 1846, misdated the 8 June 1846, PILOT, 11 June 1846, and LA MINERVE, 8 June 1846, in accounts which are identical except that in the MIRROR and the PILOT, some speeches have been omitted entirely.
20. LA MINERVE, 8 June 1846.
21. MIRROR, 6 June 1846, misdated the 8 June 1846.
22. LA MINERVE, 8 June 1846.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. MIRROR, 6 June 1846, misdated the 8 June 1846.
28. LA MINERVE, 8 June 1846.
29. LE JOURNAL DE QUEBEC, 9 June 1846. According to LE JOURNAL DE QUEBEC, Papineau spoke "avec beaucoup d'humeur".
30. LE JOURNAL DE QUEBEC, 9 June 1846.
31. IBID.

MONDAY, 8 JUNE 1846.

11 O'Clock, A.M.

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ON motion of Mr. Laurin, seconded by Mr. Méthot,

Notarial Pro-
fession Bill.

Resolved, That four Managers be appointed to meet the Managers appointed by the Honourable the Legislative Council, at the time and place appointed for the holding the Conference desired upon the amendments made by their Honours to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada."

Ordered, That Mr. Laurin, the Honourable Mr. LaFontaine, the Honourable Mr. Morin, and Mr. Méthot, be appointed Managers for conducting the said Conference.

H. Adams and
A. S. Pope.

Mr. Jessup, from the Select Committee to which was referred the Petition of Hiram Adams and Abel S. Pope, of the Township of Edwardsburgh, in the District of Johnstown, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and agreed to by the House, and is as followeth:--

Report.

Your Committee having taken into their consideration the prayer of the Petition referred to them, beg leave to report that the claims of the Petitioners, (Messrs. Adams and Pope) appear to be well founded, and therefore would recommend your Honourable House to pass an Address to His Excellency the Governor General, praying that the same may be considered by the Executive Government, and such relief granted as the circumstances of their case may seem to require.

Eleanor Teed,
and A. Jacquiés.

Mr. Chabot, from the Select Committee to which was referred the Petition of Mrs. Eleanor Teed, of the City of Quebec, widow of the late John Teed, and the Petition of Adolphus Jacquiés, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee have examined the Petitions referred to them by your Honourable House, which state as follows, to wit:--That of Eleanor Teed--that her late husband was arrested on the 11th of November, 1837, and confined in the common Gaol of the City of Quebec--that he applied through Counsel to the Judges of Her Majesty's Court of King's Bench, for a Writ of Habeas Corpus, which was granted and issued in his favor--that during the pendency of such application, the said John Teed was wrongfully and illegally removed from the custody of the civil power, and confined by the Military authorities in the Citadel of the City of Quebec, in order to deprive the said John Teed of his remedy under such Habeas Corpus--that the said John Teed was afterwards brought back to the common Gaol, and confined therein until the 12th April, 1838, when he was discharged--that after his discharge he the said John Teed was advised to institute, and

did institute legal proceedings for redress, against the persons who were parties to his illegal removal from the custody of the Civil Authorities, and to his subsequent confinement in the Citadel, but that such proceedings were stayed by an indemnity Ordinance of the Governor and Special Council, which compelled him to pay triple costs to the

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Defendants--that the health of the said John Teed was injuriously and materially affected by his long, unjust and harassing imprisonment, and his extreme solicitude for his family, (who were for a great portion of the period of his confinement, prevented access to him,) and that he continued so affected in his health until his death, on the 8th of February last. That the Petitioner firmly believes his imprisonment and the anxiety of his mind, and the injustice done him during and after such imprisonment, were the cause of his sickness and death.

And that of Adolphus Jacquiés, that on the second of January, one thousand eight hundred and thirty eight, he was, by order of the Governor in Chief, Sir John Colborne, arrested on a charge of High Treason, forcibly dragged from his family and occupation, and incarcerated in the common Gaol of the City of Quebec, was there confined upwards of two months, and only then admitted to a heavy bail, on the representation of several medical gentlemen; that he, while in confinement, offered to go to Montreal at his own expense, and submit there to be tried by a Court Martial; that he had to renew his recognizances for two successive Criminal Terms, and then was told by the Crown Officer that there was no charge against him; that after the lapse of several months, his printing press and materials, which, at the time of his arrest, were seized and deposited in the vaults of the Court House, were returned to him partly destroyed and partly missing; that by the Indemnity Bill, passed by the Special Council, your Petitioner was precluded from seeking redress; that the consequences of his incarceration were the ruin of his business and the loss of his health; that he, since then, has been and now is a cripple, and unable to provide for a family of ten children; that he, up to his moment, is not aware of the crime, if any, he was thought guilty of, but supposes his ruin to be effected in order to suppress the printing of the "Fantasque," and a pamphlet relating to the suspension of the Honourables Messrs. Panet and Bedard.

From the evidence given by His Honour Mr. Justice Bedard, and from personal knowledge, your Committee are satisfied that the statements made by the Petitioners are true.

Your Committee not having it in their power to do more, can only express their opinion that John Teed and Adolphus Jacquiés were unjustly used, and that Her Majesty's Government should make due reparation to the Petitioners for the injustice which has been done to the deceased husband of the widow Teed, and to Adolphus Jacquiés, the other Petitioner.

A. Laframboise
et al.

Mr. Drummond, from the Select Committee to which was referred the Petition of Alexis Laframboise, Esquire, and others, of the City of Montreal,

presented to the House the Report of the said Committee, which was again read at the Clerk's table.¹

MR. DRUMMOND ... reported, that the Councillors for the St. Lawrence Ward, were not elected by the free suffrage of the citizens, but in opposition to the wishes of a majority of inhabitants of the ward. That violence had occurred in the election of 1845, and that although, a Bill had been passed for the purpose of putting an end to such scenes, yet they feared it would not have the effect, unless the Executive took some more impartial and stringent measures for preserving the public peace.²

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(For the said Report see Appendix E.E.E.)

Return to
Addresses.

The Honourable Mr. Attorney General Smith laid before the House, by command of His Excellency the Governor General,

Toronto Har-
bour Dues.

Return to an Address from the Legislative Assembly to His Excellency the Governor General, date the twenty-ninth day of April last, praying His Excellency to cause to be laid before them "A Return of the amount collected for Harbour Dues at the Port of Toronto, for the year one thousand eight hundred and forty-five, and also a detailed statement, shewing the balance, (if any,) still due to the Government on account of sums advanced by the authority of certain Acts of the Parliament of Upper Canada, for constructing and repairing the Queen's Wharf at the entrance of the said Harbour."

(For the said Return see Appendix F.F.F.)

Municipal Bill,
(L.C.)

The Order of the Day for the House in Committee on the Bill to repeal the Acts therein mentioned, and to amend the Law for the establishment of Local and Municipal Authorities in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Hale took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Hale reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered, That the said Bill as amended be Engrossed.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery,
MR. SPEAKER,

Civil List Bill.

The Legislative Council have passed the Bill, intituled, "An Act for granting a Civil List to Her Majesty," without any amendment.

Also,

Administra-
tion of Justice
Bill, (L.C.)

The Legislative Council have passed the Bill, intituled, "An Act to amend the Law relative to the Administration of Justice in Lower Canada," with

several amendments, to which they desire the concurrence of the Assembly.
And also,

LEGISLATIVE COUNCIL,
Monday, 8th June, 1846.

Postage. Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House, that His Excellency the Governor General has appointed this day, at three o'clock, P. M., to be attended with the Addresses of both Houses on the subject of the transmission of the Mails to and from Great Britain, and also praying for a reduction of the Rates of Postage, and that in consequence of the advanced state of the Session, the Legislative Council have ordered that such Members of the Executive Council only do attend His Excellency at that time on the part of this House.

And then he withdrew.

Ordered, That such Members of this House as are of the Honourable the Executive Council of this Province, do attend His Excellency the Governor General, on the part of this House, this day at three o'clock, P. M., with the Address of both Houses, on the subject of the transmission of the Mails to and from Great Britain; and also, praying for a reduction of the rates of Postage.

Another Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

LEGISLATIVE COUNCIL,
Monday, 8th June, 1846.

Notarial Profession Bill,
(L.C.) Ordered, That one of the Masters in Chancery, do go down to the Legislative Assembly to desire a further Conference with that House, on the subject matter of the amendments made by this House, to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada;" to which the Assembly have disagreed, and that the Managers on the part of this House are to be the Honourable Messieurs Bruneau and Walker, who are to meet the number of Managers on the part of the Legislative Assembly, required by Parliamentary usage, presently in the Committee Room of the Legislative Council.

And then he withdrew.

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The Master in Chancery was then called in, and informed by Mr. Speaker, that this House will send an answer by Message.

On motion of Mr. Laurin, seconded by the Honourable Mr. Morin,

Resolved, That this House doth agree to the further Conference desired by the Honourable the Legislative Council, on the subject matter of the amendments made by their Honours to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada."

Ordered, That the same Members who held the former Conference, be the Managers at this Conference.

Resolved, That the said Resolution and Order be communicated to the Legislative Council by Message.

Ordered, That Mr. Laurin do carry the said Message to the Legislative Council.

Administra-
tion of Justice
Bill, (L.C.)

The Honourable Mr. Attorney General Smith moved, seconded by the Honourable Mr. Viger, that the amendments made by the Legislative Council to the Bill intituled, "An Act to amend the Law relative to the Administration of Justice in Lower Canada," be now taken into consideration.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Bouthillier, Cayley, Christie, Desaulniers, Drummond, Duggan, Ermatinger, Foster, Gowan, Leslie, M'Connell, Merritt, Méthot, Moffatt, Monro, Papineau, Petrie, Robinson, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, Viger, and Williams.--(26.)

NAYS.

Baldwin, Berthelot, Cauchon, Chabot, Chauveau, DeWitt, Jobin, LaFontaine, LeMoine, Morin, Nelson, and Rousseau.(12.)

So it was carried in the affirmative, and

Ordered, Accordingly.

The House then proceeded to take the said amendments into consideration. And the said amendments were read, and are as followeth:--

Press 1, Line 12.--Leave out from "so," to "sixteenth," both inclusive, and insert "the eighteenth."

" " " 16.--Leave out from "as," to "leagues," in line 29, both inclusive, and insert "and so much of the tenth Section of a certain other Act passed in the said seventh year of Her Majesty's Reign, and intituled, 'An Act for the establishment of a better Court of Appeals in Lower Canada,' and of any other Act or Law in force in Lower Canada, as requires that any Writ or Process issuing out of any of Her Majesty's Courts of Justice therein, should be in both the English and French languages, shall be, and the same are hereby repealed; and henceforth any Writ or Process issuing out of any such Court, may be either in the English or in the French language, any Law, Usage, or Custom, to the contrary notwithstanding."

" " " 32.--After "Act," insert "secondly above cited."

" 2, " 24.--Leave out "last," and insert "secondly."

Press 3, Line 16,--After "day " insert Clause A.

CLAUSE A.

"And be it enacted, that so much of the said nineteenth Section of the said Act, secondly above cited, as requires that an Inferior Term of the Court of Queen's Bench, for the District of Three Rivers, should be held by the Resident Judge for that District, from the first to the seventh day of the month of June, be, and the same is hereby repealed, and that in lieu thereof, an Inferior Term of the said Court, shall be held by the said Resident Judge, from the fifteenth to the twenty-first day of May, in every year, both days inclusive."

" " " 18.--Leave out from "passed," to "inclusive," in line 25, both inclusive, and insert "last above cited, as directs that a Term of the Court of Appeals shall be held from the first to the tenth day of July, in each year, shall be, and is hereby repealed; and that instead of the said Term, a Term of the said Court shall be held from the first to the tenth day of June, in each year, both days inclusive."

" 4, " 1.-- After "more," insert "of the Circuit Judges, for either of the Districts of Quebec or Montreal, or other."

" " " 12.--After "Act," insert "secondly above cited."

" " " 36.--After "before," insert "and shall continue in force until the first day of August, in the year of our Lord one thousand eight hundred and forty-seven, and thence until the end of the then next Session of Parliament, and no longer."

In the Preamble.

Line 2.--Leave out "Act," and insert "Acts."

Ordered, That the question of concurrence be now separately put upon the said amendments.

And the first of the said amendments being again read, and the question being put thereon, it was agreed to by the House.

The second of the said amendments being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Armstrong, Cauchon, Cayley, Christie, Desaulniers, Drummond, Ermatinger, Foster, Gowan, LeMoine, Leslie, M'Connell, Merritt, Méthot, Moffatt, Monro,

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Papineau, Petrie, Scott, Seymour, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, Viger, and Webster.--(27.)

NAYS.

Baldwin, Berthelot, Bouthillier, Chabot, Chauveau, DeWitt, Jobin, LaFontaine, Macdonell of STORMONT, Morin, Nelson and Rousseau.--(12.)
So it was carried in the affirmative.

The residue of the said amendments being again severally read, and the question being separately put upon each, they were agreed to by the House.

Ordered, That the Honourable Mr. Attorney General Smith do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Partition of Lands Bill, (L.C.) The Honourable Mr. Moffatt moved, seconded by Mr. Foster, that the Order of the Day for the House in Committee on the Engrossed Bill from the Legislative Council, intituled, "An Act to facilitate the partition of Lands, Tenements, and Hereditaments in certain cases, in Lower Canada," be now read;

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Ordinance Vesting Act Bill. Mr. Stewart of Bytown moved, seconded by Mr. Monro, that the Order of the Day for the second reading of the Bill to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in carrying the said provision into effect, be now read.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

Baldwin, Cauchon, Cayley, Chauveau, Christie, Daly, DeWitt, Drummond, Ermatinger, Gowan, Jobin, Laurin, LeMoine, Macdonell of CORNWALL, M'Connell, Méthot, Monro, Petrie, Robinson, Seymour, Attorney General Smith, Stewart of BYTOWN, Stewart of PRESCOTT, Taché, Solicitor General Taschereau, and Williams.--(26.)

NAYS.

Armstrong, Berthelot, Bouthillier, Chabot, Desaulniers, Foster, LaFontaine, Laterrière, Leslie, Macdonell of STORMONT, Merritt, Moffatt, Morin, Nelson, Papineau, Rousseau, Scott, and Viger.--(18.)
So it was carried in the affirmative.

The Order of the Day for the second reading of the Bill to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in carrying the said provision into effect, being read;

The said Bill was accordingly read, and ordered to be Engrossed.

An Engrossed Bill to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in

carrying the said provision into effect, was read for the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Stewart of Bytown, do carry the said Bill to the Legislative Council, and desire their concurrence.

Prorogation.

Mr. Speaker communicated to the House the following Letter:

CIVIL SECRETARY'S OFFICE,
Montreal, 8th June, 1846.

SIR,

I have the honour, by command of the Governor General, to inform you, that it is His Excellency's intention to proceed to the Legislative Council Chamber, to close the Session of the Provincial Legislature to-morrow at three o'clock.

I have the honour to be,

Sir,

Your most obedient

Humble Servant,

J. M. HIGGINSON.

The Honourable

The Speaker of the

Legislative Assembly,

&c. &c. &c.

Adjournment.

The Honourable Mr. LaFontaine moved, seconded by Mr. Chabot, that the House do now adjourn until to-morrow at ten o'clock, A.M.

The question having been put upon the said motion, a division ensued.

Yeas.....17.

Nays.....20.

So it passed in the negative.

Parishes,
Churches, &c.
Erection Bill.

Mr. Drummond moved, seconded by Mr. Chauveau, that the Order of the Day for the second reading of the Bill to explain and amend an Act, intituled, "An Ordinance concerning the erection of Parishes, Churches, Parsonage Houses, and Churchyards," be now read.

The Honourable Mr. Moffatt moved in amendment, seconded by Mr. Foster, that all the words after "That," in the said motion, be struck out, and the following substituted: "the Order of the Day for the House in Committee, on the Engrossed Bill from the Legislative Council, intituled, 'An Act to facilitate the Partition of Lands, Tenements, and Hereditaments, in certain cases, in Lower Canada,' be now read."

The question having been put upon the said motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Christie, Ermatinger, Foster, Laterrière, Leslie, Macdonell of
STORMONT, Merritt, Moffatt, Robinson and Scott.--(10.)

NAYS.

Baldwin, Berthelot, Bouthillier, Cauchon, Chabot, Chauveau, DeWitt,
Drummond, Jobin, LaFontaine, Laurin, LeMoine, M'Connell, Méthot, Morin,
Nelson, Rousseau, Smith of WENTWORTH, Taché, Solicitor General Taschereau,
Viger and Williams.--(22.)

So it passed in the negative.

Adjournment.

The Honourable Mr. Morin then moved, seconded
by Mr. Jobin, that the House do now adjourn.

The question having been put upon the said motion, a division ensued,
and it was carried in the affirmative.

And the House accordingly adjourned until tomorrow, at Eleven
o'clock, A.M.

APPENDIX, 8 JUNE 1846.

((NOTICE OF MOTION FOR NEXT SESSION RE: SUSPENSION OF CLERGY RESERVES LANDS SALES)).³

MR. BALDWIN gives notice that he will on an early day next session move the following resolutions on the subject of the conduct of Her Majesty's Provincial Ministers with reference to the suspension of the sales of the Clergy Reserve lands.

1. Resolved, that in consequence of this House being led to apprehend that the sale of the Clergy Reserve lands had been suspended by an order of the Provincial Government and from a just distrust of the influence by which such a measure might have been dictated and an anxious desire to obtain full accurate and authentic information upon a subject of so much importance, they did on the seventeenth day of April last address His Excellency the Administrator of the Government praying that His Excellency would cause to be laid before them a copy of any communication which he might have received from Her Majesty's Secretary of State for the Colonies relative to suspending such sales. In reply to which address His Excellency by his Message of the 14th of the said month was pleased to transmit for the information of this House the copy of a Report of a Committee of the Executive Council approved by the late Governor General suggesting certain alterations in the regulations prescribed for the sale of those lands and by which message His Excellency was also pleased to inform them that such report had been transmitted to Her Majesty's Secretary of State for the colonies and was still under the consideration of the Imperial Government.

2. Resolved.--That the said message of His Excellency containing no reference to any despatch from the Imperial Government on the subject of such sales necessarily conveyed an implied assurance (fully confirmed by his Excy's subsequent message hereinafter mentioned) that no such communication had been received. Nevertheless, the fact of such sales being suspended having in the mean time been confirmed by the public announcement thereof in the official Gazette, this House with a view to the avoiding of any possible misconception did on the 14th of April last adopt another address to His Excellency praying that he would cause to be laid before them copies of any correspondence memoranda or recommendation that might have taken place between the Government of this Province and the Colonial Secretary on the subject of the sale or management of the Clergy Reserves. To which address His Excellency was pleased to reply by His message of the 17th of April last informing us that he had received no communication from Her Majesty's Secretary of State relating to suspending the sale of the Clergy Reserve lands.

3. Resolved.--That this House with a view to the further investigation of the grounds upon which Her Majesty's Provincial Government had thought fit to adopt, the policy of suspending such sales did afterwards on the 15th of May last, address His Excellency the Governor General, praying that His Excellency would cause to be laid before them a copy of the circular or letter of instructions addressed from the office of the commissioner of crown lands in April last to the local agents of that department in the

different sections of the province informing them of the pleasure of the Government that the sales of Clergy Reserve lands should be suspended. In compliance with which address His Excellency on the 19th of May was pleased to cause to be laid before this House copies of three circulars from the said department dated respectively the 13th, 16th and 20th of April last; in the first of which bearing the signature of the hon. Denis Benjamin Papineau, Her Majesty's Commissioner of Crown lands the head of the said department, member of her Majesty's Executive Council, and one of the representatives in this Province, it is stated that "in consequence of a despatch from the right hon. the Secretary of State for the Colonies with reference to the low rates at which those lands in the several Districts have been valued, the sale of the Clergy Reserves in the Western section of the Province is suspended for the present by command of the Governor in Council: and in the second of which circulars bearing the signature of the assistant commissioner of Crown lands, it is stated that in consequence of a despatch from the Secretary of State in reference to Clergy Reserves and on account of the low rate at which some of these lands have been valued the sale of the Clergy Reserves in both sections of the Province is by command of His Excellency the Administrator of the Government suspended until further orders.

4. Resolved.--That this House unable to reconcile with the information communicated to them in His Excellency's answers (which answers the said Denis Benjamin Papineau as one of the confidential advisers of the Crown in this Province must have advised and for which he is necessarily responsible) the statement contained in the circular which as head of his department he addressed to his agents in the different sections of the Province, and they are constrained to conclude either that Her Majesty's Provincial Ministers do not call for that full and unreserved communication to them of the correspondence to and from the Imperial Government on the local affairs of the Province which is necessary for the efficient discharge of their public duties and essential to the successful conduct of Her Majesty's Provincial Government for which they are responsible; or that the statement in such circular was intended to screen the Provincial Ministers from the odium which any interference likely to produce an apprehension in the public mind of a contemplated change of policy with respect to such sales was so well calculated to bring down upon them, and to transfer such odium to Her Majesty's Imperial Ministers.⁴

((WITHDRAWN RESOLUTIONS RE: ROEBUCK'S STATEMENTS IN BRITISH HOUSE OF COMMONS 15 MAY 1846 ABOUT SOL. GEN. SHERWOOD)).⁵

MR. DUGGAN seconded by Mr. Williams, moved that it be

Resolved,--That it appears by a debate reported to have taken place in the British House of Commons on the 15th of May last, that Mr. Roebuck in his place in Parliament stated as follows, "The Solicitor General for Canada stated that patriotism, he found meant selfishness--and so it was that the party which had always possessed loyalty and affection to this country now turned round and threatened us with the annexation of Canada to the United States. The Orange Irishmen and peculating Englishmen were the parties who threatened us with annexation when they thought their interests were in danger.

Resolved, further,--That said statement is utterly erroneous and without any foundation, and that the character attributed to Irishmen and Englishmen in said statement is a gross act of injustice and an unmitigated libel upon the Colonists, all classes of whom, without distinction of party, creed or country, are most devotedly attached to their Sovereign and to British institutions, and are prepared to maintain British connexion with their fortunes and their lives.⁶

MR. WILLIAMS had great pleasure in seconding the motion of his learned friend. The speech thus brought under the notice of the House, contained the grossest misrepresentations, as to the trade, commerce and people of this colony. He felt it was due to the dignity and the interests of the people that the House should lose no time in repudiating them. He would refer to the language which was reported to have been used by the Solicitor General of Canada, for the report did not say which Solicitor General it was--and he would remark, that if there were a Solicitor General who would stand up and say "those were my words, or those are my sentiments," then he (Mr. Williams) would assert that he did not represent the feelings of any party in either section of the Province. "Mr. Roebuck said, the Solicitor General for Canada stated that patriotism, he found, meant pecuniary profit, and that loyalty meant selfishness--and so it was that the party which had always professed loyalty and affection for the Mother Country, now turned round and threatened us with annexation to the United States. The Orange Irishmen and peculating Englishmen were the parties who threatened us with annexation, when they thought their interests were in danger." Now he called upon the Solicitor General to stand up and deny that any such words were to be imputed to ... them. These were not the only misrepresentations. With respect to British manufactured goods imported into Canada, Lord George Bentinck had said--take care how you offend these Canadians, they receive a vast amount of your manufactured goods, and if you pass this measure you will deprive yourself of that market, and thus lose the great support of your manufacturers. Now Mr. Roebuck undertook to reply to this by stating, that Canadians were not the people who consumed those goods, but that three-fourths of them were smuggled into the United States. He called on the President of the Board of Trade to refute that statement. There was another gross misstatement which must have arisen from ignorance, for he could not impute to any member of the British Legislature a desire to delude the British public. The statement to which he alluded was, that the inhabitants of Western Canada had no interest in the timber trade. What had he stated in his place in the House?--He would repeat it for the information not of hon. members then present, but for the information of the members of the House of Commons. He had said that in his own and the adjoining Districts that was to say in the Newcastle and Colborne Districts--there was enough hewn timber, without speaking of the sawn, to load one third of all the vessels that annually visit the port of Quebec--five hundred ships at 400 tons each. Ten millions of cubic feet were ready for shipment in those two Districts alone. It was not extraordinary that members of the British House of Commons should labour under some misapprehension as to the circumstances of this country; but when a

gentleman got up and assuming a peculiar knowledge of the trade and commerce of Canada, made such extraordinary misstatements, it was necessary for that House to repudiate his assertions. There was another gross misrepresentation in this speech, and he believed there was not a single member in the House who would not agree with him in saying so. Mr. Roebuck had said that if the Canadas were polled on the subject of protection, the result would be that nine tenths of the people would be found favourable to the abolition of protection. Now, it was right that the real position of the country should be known; it was proper that the people at home should be aware that instead of that being true, nineteen-twentieths of the people were decidedly in favour of the continuance of protection. He did not wish to throw any obstacle in the way of the British Ministry, but let truth bear the sway. From all that he could see he could not help fearing that these statements originated in party spirit, and a desire to carry a particular measure; and under that impression conceived it would not do to allow it to go without comment.⁷

MR. SHERWOOD said there could be little doubt that he was the Solicitor General alluded to in the speech of Mr. Roebuck, for in another place he found that we has (sic) said to have made these remarks at the meeting of the Board of Trade of Toronto, and again at the Free Trade meeting in Montreal. He thought the propriety of taking any notice of this affair was very doubtful. In the first place, because it was a mere newspaper report, and whoever knew any thing about such reports would know that they were filled with misrepresentations. Now what would an individual do in such a case? He would call on Mr. Roebuck to know whether the report was correct as a first step to a contradiction of his assertions, and he thought the House ought to take the same course if it desired to follow up the matter. The next reason why he doubted the propriety of taking any formal notice of this affair was, that by doing so, the House would make far too important a person of Mr. J. A. Roebuck, at a time, when, if let alone, he would sink far into his native insignificance. These were his reasons for questioning the good sense of passing these resolutions, and he had mentioned them to his learned friend before his friend brought them before the House.--Then as regarded the language imputed to him he had only to say that if Mr. Roebuck meant to impute to him the assertion which had been alluded to, that imputation was utterly false and untrue. He did not understand, however, that all of that passage was attributed to him. He thought it was alleged that he had said that "patriotism meant pecuniary profit," &c. and then the rest was the conclusion--"and so it was that the party which had always professed loyalty and affection to this country now turned round and threatened us with the annexation of Canada to the United States. The Orange Irishmen and peculating Englishmen were the parties who threatened us with annexation when they thought their interests were in danger." Supposing that view to be the correct one, he would now go to the remark about patriotism. He had never, so far as he recollected, spoken in public on the subject of free trade out of his place in the House except upon one occasion. Hon. members had heard the expression of his opinion on various occasions, and he could confidently appeal to every one of them, whether they had ever heard from

him, in public or private such odious sentiments as those attributed to him. On one occasion he had attended a joint meeting of the Board of Trade and the Agricultural Society of Toronto. The last body was represented by Messrs. Thompson and Gamble. He made a few remarks at that meeting which were, he believed, published in the Toronto Examiner, and were copied in the Montreal papers, and he might say, that having looked over the report in a very cursory manner he had not seen any thing erroneous in it. He recollected distinctly however that what he did say was really this--that I had lived long enough to learn that some people's loyalty depended on self interest, and that that feeling might exist very strongly in the minds of some, if Great Britain should determine to leave Canada no solid and material advantage to make her boast of her connection with the empire. He had said that there might be a class of people who would feel that this connection would be no longer necessary. He had said these things because he desired to show that a colony ought never to think of free trade, whatever advantage might be afforded to the Mother Country by the prevalence of this abstract principle. That principle probably would obtain there--perhaps its triumph was proceeding with greater rapidity than people here were aware of--but the very term colony, included, as he understood, a meaning of dependence on the Mother Country. He did say that if Canada was put upon the same footing as foreign countries that this protection will be removed, and that it was to be, apprehended that a feeling would get abroad that since the British protection was lost, it was time to seek for some other elsewhere. He had said so, because these were feelings that he looked upon with alarm, not because they were those which he entertained, for the loss of all the protection that had ever been afforded would never make him have any other sentiment than one of warm admiration for British rule. The friends with whom he usually acted, and his constituents who sent him to Parliament, he believed, agreed with him, but they were not the only people to be consulted; there were other parties who might think differently. He would leave them to answer for themselves, but in the meantime he would appeal to hon. members whether he was not right in saying that something was to be apprehended. He had been grossly misrepresented; if Mr. Roebuck meant to say what he was reported to have said, it was untrue--if the report misrepresented that gentleman, he (Mr. Sherwood) was sorry such a report should have gone abroad. He believed that the loyal Orangemen and the Englishmen of Canada would be the last to get up any rebellion against England or to support any man who professed to be opposed to her. If the hon. and learned member who introduced the resolution should insist on going on with it, he (Mr. Sherwood) would be obliged to vote in its favour, because he could never think of recording his name against a resolution so worded; but he hoped it would not be passed. He thought it would be better if his hon. and learned friend would be satisfied with the expression of feeling which had been, and no doubt would be elicited by his motion.⁸

MR. MOFFATT rose to respond to the call which had been made upon him by the hon. member for Durham, though he did not see why he should be held responsible for what had been said in the British House of Commons. He

denied the statement alluded to by the hon. member for Durham, that goods were smuggled across to the United States. He had on a previous occasion described the mode by which illicit traffic was prevented in that country, nor could he imagine how Mr. Roebuck, who, at least, had access to sources of information, could have fallen into such an error. He believed the quantity of goods conveyed into the U.S. from Canada, was entirely limited to those trifling articles which travellers might take with them on leaving the country. The trade might perhaps be very much extended when the Canals were finished and proper facilities afforded for the traffic upon them: that would not be a smuggling trade, however, but a legitimate one arising out of the increased facilities which would then exist, and which would enable large establishments to import to the States by way of the St. Lawrence, as cheaply as they could by way of the Atlantic, just as the people in Upper Canada were now doing, who went into the New York markets and purchased certain articles on more favorable terms than they could in Montreal. Smuggling into the United States was very difficult, and if the Canadian Government would adopt the same course as the American and give the whole of the articles seized for smuggling, to those through whose instrumentality those seizures were made, it would be equally difficult into Canada. With respect to British connection, he would take that opportunity to repeat that in his opinion the alteration in the English Corn Law might not prove so injurious as was usually supposed; but whatever his opinions as an individual might be, there could be no doubt that the great bulk of the people of the Province were adverse to the change. The feeling was one of dread. There could be no question of it. The principle of Free Trade, in his opinion, would be beneficial to Great Britain, but with respect to this Colony, he thought Government should not be hurried too fast. It would be better to wait and see what was proposed, and then if Canadians found that the proposition could be modified so as to be less injurious to them, it would be their duty to attempt to do so. He did look at this question of Free-Trade with a good deal of anxiety. His hon. friend had said, and said truly, that Colonial dependence implied protection, and to a certain extent it implied protection to the British Home manufacturer as well as to the Colonial producer. If the last were removed the first must be abolished, and he did fear, he said, that the British people would begin to ask what advantage the Colonies were to them? That was what made him look upon Free Trade with anxiety. It was not its immediate effects, but its prospective, results that he feared, when in five, six, seven or ten years hence the people at home would begin to reflect whether it was or was not their interest to maintain Colonies. If they arrived at a conclusion in the negative, it would be most injurious to Canada, for her best hope of improvement rested in the maintenance of the existing connection with Great Britain. The hon. member then gave some details concerning the timber trade, which we did not catch very distinctly; their intention was to show that Mr. Buller was in error when he affirmed that Western Canada was not interested in the timber trade.⁹

MR. MERRITT said, that the hon. member who brought forward this motion

could not, he was sure, find any precedent for the course he proposed to adopt. The action taken by the House on the celebrated motion relative to Mr. Hume, in Upper Canada, was, perhaps, something like it; but that was called forth by a paper written and signed, while this had no other foundation than a newspaper report of a speech. Would it be worthy of the dignity of the House to take up such a matter? What did hon. members see done by other Legislative bodies? After all the talk and froth of the United States what did the British Parliament do? Just nothing: they ((do)) not deign to answer. Do they lose anything, however, by that course? On the contrary, they gained respect and honour in the eyes of the whole world. And yet the House was called on to take up an expression in a speech of a member of Parliament in England, which had reached it only through the medium of a newspaper report. If this were a proper motion upon which to base a discussion on the question of Free-Trade he would be happy to enter upon it, and he regretted that no opportunity, at least so far as he knew, had been given for such a debate. He would, however, make one remark on the question of smuggling, and he would say that he did not conceive that trade was checked so much by the diligence of the people of the United States, as by the want of demand for British manufactures. There was scarcely a single article of that description which went across Lake Champlain, and as the facilities by that route were as great as they ever would be, he feared that the anticipation of the hon. member for Montreal would hardly be realized. On the contrary, the trade from the United States was increasing to an alarming extent. Now with regard to smuggling there was one fact which ought to be kept constantly in mind, it was that smuggling could never be prevented while smuggling it could be done cheaper than the duty could be paid. Thus if the duty on tea were reduced to 1d. per lb. it can be entered and paid cheaper than it could be smuggled; but at 1½d. the smuggling could be done cheaper and the revenue would fall off. If smuggling were to be put a stop to it must be, by placing the duties below the smuggling point.¹⁰

MR. MOFFATT said that the hon. member for Lincoln (sic) differed from him in thinking that there was no smuggling because there was no demand for goods to be smuggled. Now he would ask the hon. member whether it was not true that articles of British manufactures (sic) were imported into the United States, even at the expense of paying a large duty?¹¹

MR. MEYERS made a few remarks tending to show the great interest Upper Canada had in the timber trade.¹²

MR. PRES. EX. COUN. VIGER contended that these Resolutions were quite unnecessary, and would, if carried, furnish a precedent which would have to be followed up almost daily. He had himself heard things stated in the House of Commons by a most able minister, and a warm friend of Canada, which were utterly ridiculous, and which produced roars of laughter when their absurdity was exposed by the comments of Sir James Macintosh. That Minister was Mr. Huskisson. He could name one speech of Mr. Stanley, now Lord Stanley, in which on a single question, there were no less than five assertions absolutely false.¹³

MR. DRUMMOND trusted the hon. member would withdraw his motion. He had no doubt the hon. gentleman's motives were highly laudable, but he put it to the hon. gentleman whether any good effect could be produced by pressing it? The only effect would be to get up a big talk on the last day of the Session. Already the debate had extended from Mr. Roebuck to free trade--from free trade to smuggling--and from smuggling to a separation of the colony from the mother country. Here were subjects enough to detain the House from that day to the month of August--the time which the hon. Attorney Gen. West had pitched upon some time ago for the termination of the Session. He thought it high time to give up this big talk; for he did not think that the House was called on to discuss the propriety of the expressions complained of. If it began to take notice of newspaper reports, there would never be an end to its favours. With the very best intention to give a correct account of what took place, reporters were often liable to fall into errors. Hon. members themselves, were frequently deceived, although they sat within the enceinte of the House and it was therefore not surprising that others not so favorably situated, should make mistakes also. He had often been misrepresented himself. For instance, he had been made to say that a rule of their order prevented Jesuits from acquiring any property except for the conversion of the Indians--though it was well known that when Ignatius Loyola established that society the Indians could hardly have been thought of. Every body knew the loyalty of the hon. Solicitor General West, but he would not advise the House to enter into any discussion, for if people were to go back a very little way they would find prints in this city that had made such an outcry, as would make it evident that there might be more truth than poetry in the remarks made in the House of Commons. As to the propriety of the words imputed to the hon. Solicitor Gen. all he could say was that there were too many men in all countries actuated by selfish motives, and he thought it was not advisable to debate the question but rather to allow the session to close with good humour on both sides.¹⁴

MR. INSP. GEN. CAYLEY said in answer to the hon. member for Lincoln, that he would be very happy to adopt his suggestion as to placing the duties below the smuggling point, if he could only ascertain what that smuggling point was.¹⁵

MR. BALDWIN thought that no one could doubt there had been gross misrepresentation in the speech of Mr. Roebuck, but in fact that very circumstance out of which it had arisen, would show how wrong it was to take up newspaper reports as subjects of grave animadversion. The whole affair originated out of a newspaper report of what took place at Toronto, so that there appeared to have been a kind of concatenation of misrepresentation. There was an ancient who was said to turn into gold every thing that he touched, and he (Mr. Baldwin) was sometimes said, in like manner to turn everything he touched into Responsible Government. Well this was another example, in his opinion, of the advantage of this responsibility. This was another instance of the utter incapacity of persons at a distance to understand Canadian affairs. The mistakes made at home were often perfectly ridiculous, and shewed every day more and more, the propriety of leaving to the Colony the entire management of its local

concerns. At home they had neither the time nor the opportunity to understand Colonial affairs.¹⁶

MR. DUGGAN consented to withdraw his motion, as he had obtained the expression of the opinion of the House. He had not been so anxious to contradict the erroneous statements as to the trade of the Province, as to repel the aspersions cast on the loyalty of the people. He wished it to be known at home, that there was no distinction among Canadians of any creed or race in their feelings of loyalty to their Sovereign and attachment to Great Britain.¹⁷

MR. LAFONTAINE advised hon. members who wished their speeches of that day to be correctly reported, to write them themselves. He would not wonder to find the speech of the hon. member for Lincoln so reported, as to make some member of the British Parliament suppose that Canadians were a nation of smugglers.¹⁸

FOOTNOTES - 8 JUNE 1846.

1. The debate on this matter was reported by: MONTREAL GAZETTE, 10 June 1846, MONTREAL TRANSCRIPT, 11 June 1846, and LA MINERVE, 12 June 1846, in identical accounts.
2. MONTREAL GAZETTE, 10 June 1846.
3. The debate on this matter was reported by: MIRROR, 8 June 1846, PILOT, 11 June 1846, and KINGSTON NEWS, 15 June 1846, in identical accounts.
4. MIRROR, 8 June 1846.
5. The debate on this matter was reported by: MONTREAL TRANSCRIPT, 11 June 1846, MONTREAL GAZETTE, 10, 11 June 1846, MIRROR, 8 June 1846, PILOT, 11 June 1846, and KINGSTON NEWS, 15 June 1846, in accounts which are identical except that the MONTREAL GAZETTE's, MIRROR's, and PILOT's accounts are abbreviated and some speeches have been omitted entirely from the MIRROR and the PILOT. The KINGSTON NEWS, 15 June 1846, acknowledged the MONTREAL HERALD as its source.
6. MONTREAL TRANSCRIPT, 11 June 1846.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.

TUESDAY, 9 JUNE 1846

11 O'Clock, A.M.

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Printed.

ORDERED, That the four Petitions of Robert Fleming Gourlay, be printed at full length in the Journals of the House of the present Session.

Geological Survey.

The Honourable Mr. Attorney General Smith, one of Her Majesty's Executive Council, laid before

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the House, by command of His Excellency the Governor General, Report of the progress made in the Geological Survey of the Province, in the year 1844.

(For the said Report, see Appendix G.G.G.)

Administration of Justice, Montreal.

The Honourable Mr. Attorney General Smith, from the Select Committee appointed to enquire into the state of the administration of Justice in the District of Montreal, in the Superior Courts thereof, with a view of providing for the more efficient administration of Justice therein, and to which was referred the Correspondence relative thereto, presented to the House the Report of the said Committee, which was again read at the Clerk's table.

(For the said Report, see Appendix H.H.H.)

On motion of Mr. Christie, seconded by Mr. DeWitt,

Judicial and Parliamentary Records, (L.C.)

Resolved, That this House doth concur in the Report of the Select Committee appointed to enquire into the state of the Judicial and Parliamentary Records in Lower Canada.

On motion of Mr. Christie, seconded by Mr. Leslie,

Address.

Resolved, That an humble Address be presented to

His Excellency the Governor General, praying that His Excellency will be pleased to take into consideration the Report of the Committee of this House, appointed to examine into and report upon the state of the Parliamentary and Judicial Records and Archives in Lower Canada, and to order thereupon as to His Excellency shall seem meet.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. Smith of Wentworth moved, seconded by Mr. Merritt,

Marriage Act Bill, (U.C.)

That the Order of the Day for the second reading of the Engrossed Bill from the Legislative Council, intituled, "An Act to amend and extend the provisions of an Act of the Parliament of the late Province of Upper Canada, intituled, 'An Act to make valid certain Marriages heretofore contracted,

and to provide for the future solemnization of Matrimony in this Province'" be now revived.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:--

YEAS.

Cayley, Christie, DeWitt, Ernatinger, Gowen, Hale, Lantier, Merrill, Seymour, and Smith of WENTWORTH.--(10.)

NAYS.

Armstrong, Bouthillier, Chauveau, Desaulniers, Foster, LaFontaine, Laterrière, Leslie, Nelson, Papineau, Taché, and Viger.--(12.)

So it passed in the negative.

Municipal Bill,
(L.C.)

An Engrossed Bill to repeal the Acts therein mentioned, and to amend the Law for the establishment of Local and Municipal Authorities in Lower Canada,

was read for the third time.

Resolved, That the Bill do pass.

Ordered, That the Honourable Mr. Papineau do carry the said Bill to the Legislative Council, and desire their concurrence.

Notarial Profession Bill,
(L.C.)

Mr. Laurin reported, that the Managers on the part of this House, of the further Conference agreed upon with the Legislative Council on the subject matter of the amendments made by their

Honours to the Engrossed Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada," and to which the House have disagreed, had been at the time and place for holding the said further Conference, and there met the Managers on behalf of the Legislative Council, who delivered to them their Reasons for insisting on their said amendments, and he delivered the said Reasons in at the Clerk's table, where they were read as followeth:--

Because, the Office of Notary and Registrar are incompatible, and the holding of the Office of Registrar by one Notary, in a locality, would give him an undue advantage over his competitors,--besides opening a door to abuse in the exercise of both Offices.

Because, a Notary ought to be restricted to the exercise of his profession, and compelled to devote his exclusive attention to the interests of his clients, so long as he thinks proper to offer his professional services to the public.

Because, a discretion is left to the Boards of Notaries, tacitly to extend the period of six months allowed to Notaries now in trade, to wind up their affairs, by forbearing to cause such Notaries to be prosecuted within a certain further period.

Resolved, That notwithstanding the said Reasons, this House persist in disagreeing with the said amendments.

Resolved, That a free Conference be desired with the Honourable the Legislative Council, upon the subject matter of the last Conference, in relation to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada."

Ordered, That Mr. Laurin do go to the Legislative Council, and desire the said free Conference.

Crown Land
Department.

The Honourable Mr. Robinson, from the Select Committee, to which was referred the Report of the Commissioners appointed to enquire into the state and organization of the Crown Land Department, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:--

Report.

Your Committee regret that the Documents above named were referred to them at so late a period of the Session, as to prevent that careful examination which the best interests of the country require.

The Assembly having commenced its morning sittings at the time the Committee was organized, and Mr. Thompson, the first Chairman, having left the House soon after, it was found quite impossible to go fully into an enquiry of the subject, with a view of recommending such changes in the system of disposing of the Public Lands, as to your Committee might have appeared necessary.

Your Committee can therefore do no more than express the hope, that the Executive will promptly adopt such measures as may be in its power, to check the abuses and extravagance which exists in so important an Office of the Government. The most prominent of which is the loss incurred, and liable, (under the present system) to continue by the payment of monies into the hands of District Agents, instead of its being paid into the Chartered Banks and their Agencies, and the extravagant and unreasonable charge made on the Clergy Reserve Fund, for its management and collection.

Your Committee trusting that the Executive Government will give their immediate attention to the report of the Commissioners, and to the evidence accompanying the same, and be prepared at the opening of the next Session of Parliament, to lay before it a Bill that will remedy the many defects which it is admitted now exist in the management of this important branch of the public service.

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On motion of the Honourable Mr. Robinson, seconded by Mr. Gowan,

System of
House of Com-
mons on
Private Bills.

Resolved, That Mr. Speaker be authorised to take such steps during the ensuing recess, as he may deem necessary, for the purpose of causing an inquiry to be made into the system pursued in the House of Commons, in regard to Private Bills; and a Report to be made embracing such Resolutions and Provisions, as may appear adapted to the circumstances of this Province; the same to be submitted to this House at the next Session.

Message from
Legislative
Council.

A Message from the Legislative Council, by
John Fennings Taylor, Esquire, one of the Masters
in Chancery.

MR. SPEAKER.

The Legislative Council have passed the following Bills, without any amendment:--

Rebellion
Losses Bill,
(L.C.)

"An Act to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund."

Public Works
Bill.

"An Act for raising on the credit of the Consolidated Revenue Fund, a sum of money required for certain Public Works."

Loan Bill.

"An Act to authorise the raising of the remainder of the Loan guaranteed by the Imperial Parliament."

District Court
Act Bill.

"An Act to amend an Act passed in the last Session of this Parliament, intituled, 'An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the Practice of District Courts in the several Districts of that part of this Province, formerly Upper Canada.'"

Supply Bill.

"An Act to appropriate the sums therein mentioned, to defray certain Expenses of the Civil Government, for the year one thousand eight hundred and forty-six, and certain other Expenses not otherwise provided for."

And also,

LEGISLATIVE COUNCIL,
Tuesday, 9th June, 1846.

Notarial Pro-
fession Bill,
(L.C.)

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council agrees to a Free Conference on the subject matter of the amendments made by this House to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada," as desired by that House in their Message of this day, and do appoint the same presently in the Committee Room of the Legislative Council.

And then he withdrew.

On motion of Mr. Laurin, seconded by the Honourable Mr. Morin,

Resolved, That four Managers be appointed to meet the Managers appointed by the Honourable the Legislative Council, at the time and place appointed for holding the Free Conference desired upon the subject matter of the amendments made by their Honours to the Bill intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada."

Ordered, That Mr. Laurin, the Honourable Mr. Morin, Mr. Jobin, and Mr. Méthot, be appointed Managers on the part of this House.

Notarial Pro-
fession Bill,
(L.C.)

Mr. Laurin reported, that the Managers on the part of this House of the Free Conference agreed upon with the Legislative Council upon the subject matter of the last Conference, in relation to the Bill, intituled, "An Act for the better regulation of the Notarial Profession in Lower Canada," had been at the time and place for holding the said Free Conference, and there met the Managers on behalf of the Legislative Council; that they acquainted their Honours that the Assembly insist upon their disagreement to the amendments made to the said Bill; that thereupon a discussion arose between the Managers on the part of the Assembly, and the Managers on the part of the Legislative Council; but that no understanding could be come to upon the subject of the said amendments.

Message from
Legislative
Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery.

MR. SPEAKER.

Ordinance
Vesting Act
Bill.

The Legislative Council have passed the Bill intituled, "An Act to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in carrying the said Provision into effect," without any amendment.

And then he withdrew.

Addresses to
Her Majesty.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, reported that he had, according to Order, waited upon His Excellency the Governor General, with the several Addresses of this House, of the 14th and 28th May last, and 1st June, instant, (that His Excellency would be pleased to transmit the Addresses to Her Majesty therein mentioned, in order that they might be laid at the foot of the Throne,) had been presented to His Excellency, and that His Excellency had been pleased to say, that he would comply with the desires of the House.

New Bruns-
wick Boun-
dary Line,
and Rates of
Postage.

The Honourable Mr. Daly, one of Her Majesty's Executive Council, reported that he had, according to Order, waited upon His Excellency the Governor General, on the part of this House, with the Joint Addresses of both Houses, respecting the Boundary Line between this Province and the Province of New Brunswick; and on the subject of the transmission of the Mails to and from Great Britain, and also, praying for a reduction of the rates of Postage; and that His Excellency had been pleased to say that he would transmit the same to the Secretary of State for the Colonies, in order that they may be laid at the foot of the Throne.

House to at-
tend Governor
General in
Legislative
Council
Chamber.

A Message from His Excellency the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod.

MR. SPEAKER,

I am commanded by His Excellency the Governor General, to acquaint this Honourable House, that it is His Excellency's pleasure that they attend him immediately in the Legislative Council Chamber.

Royal Assent
to Bills.

Accordingly Mr. Speaker, with the House, went up to attend His Excellency; when His Excellency was pleased to give, in Her Majesty's name, the

Royal Assent to the following Public and Private Bills:--

"An Act to repeal two certain Ordinances therein mentioned, relating to Winter Roads in that part of the Province heretofore Lower Canada, in so far as regards the District of Quebec, the District of Gaspé, and that part of the District of Three Rivers which is or was in the Municipal District of Portneuf."

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"An Act to enable the Ministers of the Associate Presbyterian Synod of North America, to keep Registers of Baptisms, Marriages, and Burials, performed by them, and for other purposes."

"An Act to revive and amend the Act of Upper Canada, incorporating the Cobourg Railroad Company, and for other purposes therein mentioned."

"An Act to amend the Act incorporating the St. Lawrence and Atlantic Railroad Company."

"An Act for Lighting the City of Quebec with Gas."

"An Act to consolidate and amend the Registry Laws of that part of this Province, which was formerly Upper Canada."

"An Act to authorise and enforce the attendance of Witnesses from any part of this Province, before the Courts of Superior Criminal Jurisdiction."

"An Act to incorporate the Cobourg Manufacturing Company."

"An Act to alter and amend the Charter of the Great Western Railroad Company."

"An Act to amend the Act of incorporation of the Town of Cornwall, and to establish a Town Council therein, in lieu of a Board of Police."

"An Act to empower Commissioners for inquiring into matters connected with the Public business, to take evidence on oath."

"An Act to divide the Municipalities of Illochelaga, and of Three Rivers, respectively, into distinct Municipalities, and further to provide for the support of Schools, and the management of local affairs therein."

"An Act to amend the Act to detach the Island of Orleans from the County of Montmorency, for the purposes of Registration."

"An Act to incorporate the British and Canadian School Society, of the District of Quebec."

"An Act to amend an Act therein mentioned, and to make better provision for the Election of Councillors and Assessors, of and for the City of Montreal."

"An Act to authorise the Quebec Trinity House, to license as Pilots, a certain class of persons therein mentioned."

"An Act to amend and extend the Laws relative to the Turnpike Roads in the neighbourhood of Montreal."

"An Act to regulate the Poundage to be received by Sheriffs on Executions, and for other purposes therein mentioned."

"An Act to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a City."

"An Act to incorporate the Montreal and Lachine Railroad Company."

"An Act to continue for a limited time, certain Acts and Ordinances therein mentioned."

"An Act to alter and amend the Act of Incorporation of the Town of Cobourg."

"An Act to amend the Act of Incorporation of the City of Toronto."

"An Act to provide for the removal of the Registry Office of the County of Nicolet, from the place where it is now kept, to Bécancour."

"An Act to amend the Law relative to the Administration of Justice in Lower Canada."

"An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada."

"An Act to continue and amend the Bankrupt Laws now in force in this Province."

"An Act to amend a certain Act, intituled, 'An Act to amend a certain Ordinance therein mentioned, relative to the Turnpike Roads near Quebec.'"

"An Act for the further prevention of Smuggling."

"An Act to Incorporate certain persons under the name of 'the Etobicoke and Mono Sixth Line Road Company.'"

"An Act to amend the Laws relative to District Councils in Upper Canada."

"An Act to amend the Act of Lower Canada therein mentioned, extending certain privileges to persons of the Jewish persuasion."

"An Act to amend the Law constituting the Board of Works."

"An Act to establish a separate Registry Office in the Lower part of the County of Dorchester."

"An Act to amend an Act passed in the last Session of this Parliament, intituled, 'An Act to amend, consolidate, and reduce into one Act, the several Laws now in force, establishing or regulating the practice of District Courts, in the several Districts of that part of this Province, formerly Upper Canada."

"An Act to explain a certain provision of the Ordinance Vesting Act, and to remove certain difficulties which have occurred in carrying the said provisions into effect."

"An Act to provide for the appointment of Magistrates for the more remote parts of this Province."

"An Act to reverse the Attainder of Peter Matthews, and to avoid the forfeiture of his Estates and Property."

"An Act to make provision for confirming certain Acts of Registrars in that part of this Province, formerly Upper Canada."

The Titles of the following Bills were then read:

"An Act to incorporate a Company to extend the Great Western Railroad from Hamilton to Toronto."

"An Act to amend an Act passed in the eighth year of Her Majesty's Reign, intituled, 'An Act to amend an Act passed in the sixth year of the

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Reign of His late Majesty King William the Fourth,' intituled, 'An Act to incorporate the City of Toronto and Lake Huron Railroad Company.'"

"An Act for erecting a Suspension Bridge over the Niagara River, at or near the Falls of Niagara."

"An Act for supplying the City of Quebec and parts adjacent thereto with Water."

"An Act to restore the rights of certain persons attainted for High Treason."

"An Act to incorporate 'the Wolfe Island, Kingston, and Toronto Railroad Company.'"

"An Act to incorporate 'the Peterboro' and Port Hope Railway Company.'"

"An Act to incorporate La Banque des Marchands."

"An Act to incorporate 'the Montreal and Kingston Railroad Company.'"

To each of which it was His Excellency the Governor General's pleasure to say, that he reserved the said Bill for the signification of Her Majesty's pleasure thereon.

Then the Honourable Speaker of the Legislative Assembly addressed His Excellency as follows:--

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's faithful Subjects, the Commons of Canada, in Provincial Parliament assembled, in obedience to Your Excellency's commands, attend Your Excellency, and beg leave to present our Grant of Supply, which concludes the labour of the Session.

In the ordinary course of proceedings much of our time has been occupied in discussing measures of great importance to the Province, with respect to its Agriculture, Public Improvements, and Finances.

During the course of our deliberations we have also, in pursuance of Your Excellency's desire, considered the subject of the organization of the Militia, and have passed a Bill relating thereto, which we humbly trust will have the effect of placing that valuable arm of the defence of the country in such a state of efficiency as, with the co-operation of Her Majesty's gallant Sea and Land Forces, will be amply sufficient to protect this Colony from every attempt at hostile aggression, or invasion from a foreign enemy. We rejoice to assure Your Excellency that this important Bill has been discussed and carried through with perfect unanimity of feeling, and that all have cordially united in the completion of a measure which has for its object the defence of our common Country, the maintenance of the integrity of the Empire, and of the Sovereign authority of our Most Gracious Queen.

Amidst the various important concerns which have presented themselves for our notice, there are none in which we take a deeper interest than those which regard the dignity of the Crown, and those Officers whose high official stations place them in more immediate connection with it, should be properly and liberally provided for. Impressed with these sentiments, we have endeavoured, by a new settlement of the Civil List, to provide for defraying the expense of the several services of the Provincial Government, and though not unmindful of the fact, that the Revenues of the Province cannot constitutionally be appropriated without the consent of its Representatives in Parliament, we have by this Bill placed the said charges henceforth beyond the reach of any Contingencies, which more properly belong to other and different branches of the Public Service.

In completing our financial arrangements, the expenditure of the service of our Civil Establishments and Public Works, has been considered with reference to the pecuniary resources of the year; and amongst the most important of these measures, as affecting the general interests of the country, is the Bill regulating the Customs, by which the Public Revenues will, we confidently hope, be both increased and secured. These, May it please Your Excellency, are the principal objects to which our thoughts and labours have been chiefly directed, and for completing the grants which it is our especial duty and privilege to provide,--and to strengthen the means of Her Majesty's Government, we now present to Your Excellency a Bill intituled, "An Act to appropriate the sums therein mentioned to defray certain Expenses of the Civil Government, for the year one thousand eight hundred and forty-six, and certain other Expenses not otherwise provided for," to which with all humility, we entreat Her Majesty's Royal Assent.

The Honourable the Speaker of the Legislative Assembly then presented

the following Money Bill, praying that His Excellency would be pleased in Her Majesty's name to give the Royal Assent thereto:--

"An Act to appropriate the sums therein mentioned to defray certain Expenses of the Civil Government for the year one thousand eight hundred and forty-six, and certain other Expenses not otherwise provided for."

To this Bill the Royal Assent was signified in the following words:--

"In Her Majesty's name His Excellency the Governor General thanks Her Loyal Subjects, accepts their Benevolence, and assents to this Bill."

"An Act to repeal certain enactments therein mentioned, and to make better provision for Elementary Instruction in Lower Canada."

"An Act to repeal certain Laws therein mentioned, to provide for the better defence of this Province, and to regulate the Militia thereof."

"An Act for the appropriation of the Revenues arising from the Jesuits' Estates for the year one thousand eight hundred and forty-six."

"An Act to authorise the appropriation of nineteen thousand pounds to the improvement of the Gulf of St. Lawrence."

"An Act to authorise the issue of Debentures for the erection of a Lunatic Asylum at Toronto."

"An Act for enabling Her Majesty to direct the issue of Debentures to a limited amount, and for giving relief to the City of Quebec."

"An Act to authorise the raising of the remainder of the Loan guaranteed by the Imperial Parliament."

"An Act to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund."

"An Act for raising on the credit of the Consolidated Revenue Fund, a sum of money required for certain Public Works."

"An Act for defraying the Expenses of the Administration of Justice in Criminal matters, in that part of the Province formerly Upper Canada."

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And to each of the said Bills the Royal Assent was signified in the following words:--

"In Her Majesty's name His Excellency the Governor General doth assent to this Bill."

"An Act for granting a Civil List to Her Majesty."

To which said last Bill it was His Excellency the Governor General's pleasure to say, that he reserved the said Bill for the signification of Her Majesty's pleasure thereon.

Speech.

After which His Excellency was pleased to make the following Speech to both Houses:--

Honourable Gentlemen of the Legislative Council, and Gentlemen of the
Legislative Assembly,

At this advanced period of the season, I could scarcely have entertained any reasonable expectation that the present Session of Parliament could be sufficiently prolonged to enable you to dispose of the various measures submitted to your deliberation, with the attentive consideration due to the highly important interests which many of them involved.

Your indefatigable attention to the laborious duties which have been imposed upon you, has, however, enabled you to consider and to perfect the business with which you have been occupied, in a manner that, while it affords gratifying evidence of the cordial and united efforts of the several branches of the Legislature, will I have no doubt, prove highly beneficial to the best interests of the Province.

Gentlemen of the Legislative Assembly,

I thank you in the name of Her Majesty for the liberality with which you have provided the necessary supplies, which shall be expended with the utmost economy consistent with the efficiency of the Public Service.

I shall immediately take the necessary measures for raising the Loans authorized by you, for the prosecution and speedy completion of the Public Works.

Honourable Gentlemen of the Legislative Council, and Gentlemen of the
Legislative Assembly.

The truly loyal and patriotic spirit in which you have passed the Militia Bill, claims my warmest acknowledgements, and proves how confidently our Gracious Sovereign may always rely upon the attachment of Her Canadian subjects, and the promptitude and energy with which they would at all times be ready, should circumstances require it, to come forward in defence of their country, and in support of their connection with the Parent State.

I have had the satisfaction of assenting, in the Queen's name, to the greater part of the Enactments which you have passed.

In regard to the Bills which have been reserved for the decision of Her Majesty's Government, that course has in each case been required by imperative reasons, over which I could exercise no control.

The several Addresses which you have voted to the Queen have been duly forwarded through the proper department, to be laid at the foot of the Throne.

In returning to your homes where your presence is so much required, Gentlemen, I doubt not that you will use your utmost influence to inspire confidence in your respective Districts, by encouraging that spirit of Loyalty for which the Canadian people have always been distinguished, and by promoting as far as may be in your power those branches of useful and productive industry, as well as of Commercial enterprise, upon which the welfare of the Colony so mainly depends. For they may be assured that however unfavorable the aspect of affairs may have appeared to them, there exists sufficient power and energy in this noble Province, if well directed, to make the most of the resources it unquestionably possesses; that will,

under the blessing of Divine Providence, create new sources of Wealth and Prosperity, should those upon which they have hitherto relied be found ultimately to fail them.

Then the Honourable the Speaker of the Legislative Council said:--
Honourable Gentlemen of the Legislative Council, and Gentlemen of the
Legislative Assembly,

Prorogued.

It is His Excellency the Governor General's will and pleasure, that this Provincial Parliament be prorogued until Saturday, the eighteenth day of July next, to be then here holden; and this Provincial Parliament is accordingly prorogued until Saturday, the eighteenth day of July next.

INDEX

INTRODUCTION

The following Index, which refers to Parts I and II of this Volume, is divided into two sections: proper names and subjects. The proper name Index is limited to the names of the men who sat in the Canadian Assembly in 1846. This Index therefore excludes the names of all other persons, such as people mentioned in debates, witnesses testifying before the House in Committee of the Whole, or messengers such as Félix Fortier, Clerk of the Crown in Chancery, who at one time or another addressed the House from within the Bar. It also excludes the names of people merely mentioned in the House, such as those whose testimony before Select Committees was reported or referred to in the JOURNALS, and signatories to Petitions presented whose names are noted in connection with various kinds of legislation.

The decision to limit this section of the Index to members of the Assembly was made necessary by the fact that in 1846 the other names number in the thousands, so that their sheer bulk makes it impossible to include them. In addition, every piece of legislation or testimony with which these names are associated is always indexed under subject references. To summarize, the proper name Index refers to every occasion when a member proposed or seconded a motion or resolution, or brought up a petition; it refers to every speech he delivered during debates, and to every other time he addressed the House or took the chair of the House in Committee of the Whole. Only individual votes are excluded because divisions rightfully belong with the legislation they pertain to, and all legislation is included in the subject Index.

The subject Index is based on the Index to the JOURNALS. However, it has been modified, corrected and expanded to render it more useful and complete. In particular, the subjects of all the legislative events reported in the daily Appendices are included in the Index. This Index provides more than a subject analysis of parliamentary events. It also indicates the passage of each particular item through the various stages of the legislative process. It is thus a parliamentary subject Index.

The entries in this Index contain double sets of numbers whenever this is appropriate. One set is contained within parentheses, the other is not. All numbers within parentheses refer to pages in the JOURNALS. All other numbers refer to pages in this Volume. When something is mentioned in the JOURNALS it will be indexed with a double reference. Subjects mentioned only in reconstructed material will be indicated by a single page number. An additional distinction must be made within the category of numbers in parentheses. This category includes italicized numbers which always refer to official communications made in the House, usually Addresses or Messages to or from the Governor-General or the Legislative Council. All words expressed in italics refer to primary subject headings.

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SECTION II: SUBJECTS

ACADEMIES:--Vide Berthier Academy; Charleston Academy; Clarenceville Academy; Dunham Academy; Shefford Academy; Sherbrooke Academy.

ACCOUNTS:--Vide Contingencies; Public Accounts; Revenue And Expenditure; Supply.

ADAMS, HIRAM, AND ABEL S. POPE:--Petition of, for relief, (82) 514, (94) 582. Referred, (279) 1639. Report, (339) 1930.

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1. To Her Majesty:--On the transmission of mails to and from England, and reduction of postage. Notice of Motion, 8. Motion, (34) 187-188. Committee appointed to draft Address, (34) 188. Reported by Select Committee, (305-306) 1794-1796. Printed, (306) 1796. Agreed to; Address engrossed; Sent to Legislative Council for concurrence, (318) 1855. Agreed to, (330) 1898. Address to His Excellency, to transmit from Council, (330-331) 1898-1899. Agreed to, (334) 1909-1910. Members of Executive Council of each House to wait on His Excellency with the Address, (340) 1933. His Excellency's Answer, (344) 1953.
2. To Her Majesty:--To establish representation of the agricultural and commercial interests of the Colony and the means to carry them out. Notice of Motion, 98.
3. To Her Majesty:--On admitting flour and all grain into the United Kingdom from this Province, at a duty not exceeding one penny on the quarter, (21) 118-121. Standing Rule dispensed; Committee appointed to draft the Address, (21) 121. Address reported and agreed to, (21) 121-122. Address to His Excellency, to transmit the same; Both Addresses engrossed; To be presented by the whole House, (21) 122. House notified when they would be received, (33) 158. His Excellency's Answer, (33) 165. By Message, despatch in Answer, (229) 1382-1383.
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6. To Her Majesty:--Praying that protection be extended to agriculturists in Canada, as had been given to agriculturalists in England. Notice of Resolutions, 1106. House resolves to go into Committee to consider Resolutions of Mr. Merritt, (192) 1122-1143. Notice of further Resolutions by Mr. Williams, 1270-1271. Consideration of Resolutions postponed, (274) 1612, (295) 1755. Considered, (302-303) 1776-1784. Question for Committee to sit again, negatived, (303) 1784. Resolutions on the subject by Mr. Merritt, and Mr. Williams, referred, (303) 1785.
7. To Her Majesty:--Relating to the Petition of George Ryland, resolved, (201) 1199-1202. Referred, (201) 1202. Reported, (204) 1216-1217. To be Considered, (204) 1217. Considered; Agreed to; Address to His

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8. To Her Majesty:--To regard the interests of this Province in any change made regulating the admission of foreign wheat and flour into the British markets; Committee to draft the Address, (222) 1325-1326. Reported and agreed to, (229-230) 1384-1386. Address engrossed, (230) 1386. Address to His Excellency, to transmit the same; Addresses engrossed, (230) 1386. His Excellency's Answer, (237) 1435. Address to be printed, (333) 1904.
9. To Her Majesty:--Representing the expense and delays in the sale and management of the Clergy Reserves, &c., ((259)) 1521-1523. Motion for concurrence, (260) 1524-1543. Motion for amendment, (260) 1543-1548. Further consideration, (267) 1580-1582. Amendment, agreed to, on division, (267) 1582-1584. Amendment, negatived, on division, (267-268) 1584-1585. Vide Addresses, To His Excellency, (34, 44, 83.).
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32. To His Excellency:--For information respecting the navigation of the River Richelieu, (52) 285-286. Presented, (86) 525-526.
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39. To His Excellency:--For copies of correspondence between Col. Gagy, and Col. DeHertel. Motion; Withdrawn Motion, 440.
40. To His Excellency:--For complaints in reference to Judge Henry Allen's conduct to be laid on the table of the House. Motion, 440-442. Withdrawn Motion, 442.
41. To His Excellency:--For correspondence relative to Rebellion Losses in Lower Canada, (73) 459-460. Presented, (101-103) 610-615. Printed, (103) 615.
42. To His Excellency:--Joint, praying that measures be taken to prevent the annexing the Magdalen Islands to the Government of Prince Edward Island, (81) 503. Concurred in; Address to His Excellency sent from Council, (106) 648-649. Concurred in, (135) 772-773. Message from Council to wait upon His Excellency with Address, (144) 834. His Excellency's Answer, (157) 909.
43. To His Excellency:--Relative to leave of absence granted to Sir Allan Napier MacNab, Speaker, and appointment of another Speaker until his return, (87) 529-531. His Excellency's Answer, (87) 538.
44. To His Excellency:--For correspondence with the Secretary of State for the Colonies, relative to suspending the sale of Clergy Reserves. Notice of Motion, 534. Motion, (90) 547-548. By Message, (108) 652. Vide Addresses, To Her Majesty, (9.); Addresses, To His Excellency, (38, 79, 83.).
45. To His Excellency:--For report, &c., of the Royal Institution for the advancement of education relative to McGill College; also, correspondence between the Executive and the Secretary of State for the Colonies on the same, (89-90) 546. By Message, (187) 1079-1080.
46. To His Excellency:--For correspondence between the Executive Government, and Joseph Simpson, on refusal of his certificate as pilot by the Trinity House, Quebec, (90) 547. Presented, (153-154) 883-886. Vide Trinity Houses.

47. To His Excellency:--For statement respecting tolls on the Cascades Plank Road, (91) 551-552. Presented, (174) 1004-1005.
48. To His Excellency:--For statement of licenses for cutting timber upon the Crown Lands in County of Saguenay, (91-92) 555. Presented, (224) 1354-1355.
49. To His Excellency:--For statement of location tickets for mining purposes in Upper Canada, (92) 555-558. Presented, (169-170) 992-994.
50. To His Excellency:--For copy of correspondence between Executive Government, Quebec Trinity House, &c., respecting Cul de Sac, (92) 559. Presented, (171-174) 998-1004.
51. To His Excellency:--For certain particulars relative to the expenditure of £58,000 for deepening Lake St. Peter. Postponed Motion, 571. Motion, (219) 1315. Presented, (269) 1589.
52. To His Excellency:--For continuation of statement of persons appointed to offices of emolument, (97) 589.
53. To His Excellency:--For warrant in favor of William Burns Lindsay, for £5,000, (104) 619. By Message, (114) 719. Vide Addresses, To His Excellency, (90, 102.)
54. To His Excellency:--For statement of the receipt and expenditure of the provincial revenue for 1844-1845, (120) 734-735. Presented, (234) 1408.
55. To His Excellency:--For first report of survey of Lake St. Peter, by Mr. Atherton; for second report by David Vaughan; for third report by Capt. Boxer; for fourth report of copies of contracts or agreements, (135) 771.
56. To His Excellency:--For copy of any charges made to the Chancellor of King's College against any Member of the College Council; and for certain correspondence relative to that institution, (140) 790-791. Amendment, agreed to, (140) 791. Address agreed to, (140) 791-793. By Message, (212) 1268. Printed, (217) 1292.
57. To His Excellency:--For documents complaining of recent militia promotions. Motion, negatived, on division, (144-145) 834-838.
58. To His Excellency:--For statement of the names of the collectors of tolls on the Welland Canal, and of amount of tolls collected, (145) 838. Presented, (210-211) 1253-1254. Printed, (218) 1293.
59. To His Excellency:--For report of Commissioners on Rebellion Losses in Lower Canada. Motion; Withdrawn Motion, 857.
60. To His Excellency:--For statement of imports for the years 1842, 1843, 1844, and 1845, (152) 868.
61. To His Excellency:--For copies of correspondence between the Governor General, and Quebec Trinity House, relative to the beaches of the River St. Charles, (160) 919-920. Presented, (258) 1512-1513.
62. To His Excellency:--Congratulations to His Excellency, on his appointment as Governor General, &c. Notice of Motion, 933. Motion, (165-166) 953-954. Engrossed, (166) 953-954. House notified when they would be received, (171) 997. His Excellency's Answer, (175) 1025.
63. To His Excellency:--For statement of law costs due on certain lands seized by the Sheriff, (169) 985-992. Presented, (206) 1233.
64. To His Excellency:--For modification of seigneurial tenure. Proposed Address; Answer, 1019.

65. To His Excellency:--For return of harbour dues collected at the Port of Toronto for 1845, &c., (178) 1032. Presented, (340) 1932.
66. To His Excellency:--For statement relative to the fees, emoluments, &c., of the Clerk of the Crown in Upper Canada, (184) 1053. Presented, (258-259) 1513-1514.
67. To His Excellency:--For correspondence, opinions, and reports relative to the establishment of a separate Court of Jurisdiction in the County of Kamouraska and Rimouski, (196) 1150-1151. Presented, (225-226) 1355-1359.
68. To His Excellency:--For names and other information relative to the officers and clerks in the office of the Provincial Secretary, (201) 1199. Presented, (233) 1408, 1409.
69. To His Excellency:--For plans, estimated, &c., relative to the construction of a new Court House in the City of Montreal, (214) 1277. Presented, (262) 1560.
70. To His Excellency:--For names of all officers employed in the public departments of the Province, (221) 1322. Presented, (313) 1823.
71. To His Excellency:--For report of Board of Works on Petition of Léonard Ravarie, and others, respecting bridge over the River Delisle, (221) 1322-1323. Presented, (235) 1413-1415.
72. To His Excellency:--For correspondence to the Board of Works, relative to a bridge across the canal in front of Maria Town, (221) 1323. Presented, (303-304) 1787-1789. Vide Williamsburg Canal.
73. To His Excellency:--For copies of Petitions from James Coons, and William Freeland, on damages under Canal Act, (221) 1323. Presented, (308) 1804. Vide Coons, James.
74. To His Excellency:--Thanking His Excellency for His Message of 11 May, relative to the destructive fire in the County of Saguenay, (231) 1388.
75. To His Excellency:--Relative to money voted by the Legislature for bridge over the River Duchêne, (231) 1389.
76. To His Excellency:--For certain correspondence and information on the subject of the sale of the lease of the St. Maurice Forges, (240) 1440-1441. Presented, (268-269) 1586-1589.
77. To His Excellency:--For copy of contract entered into by the Board of Works for constructing the Burlington Bay Canal, &c., (240) 1441.
78. To His Excellency:--For certain correspondence relative to the claim of Dr. Rees, Toronto Lunatic Asylum; Standing Rule dispensed, (241) 1444. Presented, (258) 1513.
79. To His Excellency:--For copy of letter of instruction from the Crown Lands Office, respecting the suspension of the sales of Clergy Reserves, (250) 1473. Presented, (262) 1561-1562. Printed, (293) 1751. Vide Addresses, To Her Majesty, (9.); Addresses, To His Excellency, (38, 44, 83.).
80. To His Excellency:--For copies of instruction by Board of Works to surveyors on the main Eastern Townships Road, (252) 1496.
81. To His Excellency:--For information relative to the decision of Government, with respect to the line of road called "road from Scugog Lake to the Narrows," for which £2,000 was voted last year, (266) 1572-1573. Presented, (308) 1805.

82. To His Excellency:--For chart of the road leading from L'Orignal to Bytown, with surveys by Messrs. West and Keefer, (267) 1575. Presented, (292) 1748.
83. To His Excellency:--Representing the expense and delays in the sale and management of the Clergy Reserves, &c., (268) 1585. Vide Addresses, To Her Majesty, (9.); Addresses, To His Excellency, (38, 44, 79.)
84. To His Excellency:--For report of Chairman of Board of Works, in relation to the grant of £900 for Cornwall and L'Orignal Post Road, (272) 1604.
85. To His Excellency:--For reports from E. S. DeRottermund, to the Head of the Provincial Geological Department, or the Provincial Government, &c., (272) 1604. Presented, (308) 1804. Printed, (333-334) 1909.
86. To His Excellency:--Praying that steps might be taken to pay the Rebellion Losses in Upper Canada at once. Notice of Motion, 1664.
87. To His Excellency:--For representations from the Municipal Council of the Eastern District, relative to the conduct of the Treasurer of the said District, and other matters relating to the same, (283) 1670-1671.
88. To His Excellency:--For correspondence between the present and late Governor General of the Province, and Louis Edouard Pacaud, Commissioner of Bankrupts for the District of Three Rivers, (283) 1671. Presented, (331) 1900.
89. To His Excellency:--For correspondence between Provincial Government, Crown Lands Department, and G. R. Burke, of Bytown, (288) 1703. Presented, (331) 1900.
90. To His Excellency:-- For warrant in favor of William Burns Lindsay, for £4,000 currency, (291) 1731. By Message, (303) 1786. Vide Addresses, To His Excellency, (53, 102.).
91. To His Excellency:--Representing that the attention of this House has been drawn to the operation of the Imperial Act, 3 Geo. IV., cap. 119, authorizing the commutation of lands, and praying for some more simple mode of commutation, (295) 1754.
92. To His Excellency:--On preservation and procuring of all archives and documents, connected with the first settlement of North America, (295) 1755.
93. To His Excellency:--For correspondence between the Provincial and Imperial Governments in relation to the exemption from duty of stores, &c., imported for Her Majesty's troops in this Province, (302) 1775-1776.
94. To His Excellency:--For information in relation to the claims of the inhabitants of Mille Roches; and on Address of last Session on claim of Peter Anderton, and of Peter and Robert M'Kay, Contractors on the St. Lawrence Canal, (306) 1797-1798.
95. To His Excellency:--Praying for the adoption of certain measures in regard to the Quebec and Halifax Railroad, (306-307) 1798-1799. Engrossed, (307) 1799.
96. To His Excellency:--For information relative to appointment of Mr. McGregor as Collector of Customs at Dickenson's Landing. Notice of Motion, 1809. Motion, 1837-1842. Withdrawn Motion, 1842.

97. For correspondence between the Chairman of the Board of Works, Capt. Bayfield, R. N., Capt. Beaufort, R. N., and James M. Kendall, in reference to the ship channel in Lake St. Peter, (310) 1813-1814.
98. For information regarding certain seizures made at Toronto. Notice of Motion, 1836.
99. Informing His Excellency that this House has agreed to report of Select Committee, in favor of the application of William Rees, (318) 1855-1856.
100. Praying for issue of warrant in favor of the Speaker of the House for £9,237 3s. currency, (session allowance to Member), (321) 1865. By Message, (338) 1925.
101. For correspondence relative to the appointment of two Landing Waiters at Dundas, (321) 1866.
102. For warrant for £10,161 18s. 1½d., in favor of William Burns Lindsay, (333) 1904. By Message, (338) 1925. Vide Addresses, To His Excellency, (53, 90.).
103. For appointment of two Commissioners to enquire and report on town line of Townships of Edwardsburgh and Matilda, (333) 1909.
104. To Consider report of Committee on parliamentary and other records of Lower Canada, (343) 1949.
Despatches of last Session answered. Vide Governor General, Messages From His Excellency, (1, 2, 3.).

ADDRESSES, JOINT:--Vide Addresses, To Her Majesty, (1, 12.); Addresses, To His Excellency, (42.)

ADMINISTRATION OF JUSTICE:--Petition of L. M. Cressé, and others, to establish Courts of Justice on the south side of Lake St. Peter, and River St. Lawrence, (10) 84, (16-17) 108. Petition of Hon. J. R. Vallières de St. Réal, and others, for Act to ascertain the travelling expenses of the Justices of Court of Queen's Bench in Lower Canada, (36) 211, (46) 260. Petition of Samuel Solmes, and others, complaining of removal of Court of Oyer and Terminer in District of Prince Edward, (88) 539, (99) 605. Referred, (106) 648.

-----Bill for better Administration of Justice in General Sessions of the Peace of Gaspé. Notice of Motion, 8. Bill presented and read, (5) 14. Ordered for second reading, (40) 223. Read second time; Referred, (66) 368. Reported, (86) 527. Committed, (87) 529. Considered, (104) 619-620. Reported; Engrossed, (104) 620. Passed, on division, (105) 644-645. By the Council, (144) 833. Royal Assent, (255) 1502. (9 Vic., cap. 13.)

-----Notice of Question concerning Government's intention to introduce Bill to provide for the payment of Petits Jurés in Lower Canada, 8. Question; Answer, 99.

-----Question concerning amendment of Lower Canada judicature system; Answer, 250.

-----Question concerning Lower Canada Jurors; Answer, 333.

-----Bill to amend the Law on Administration of Justice, Lower Canada, presented and read, (187) 1077-1078. Read second time; Committed; Considered; To be reported, (296) 1757. Reported; Motion, negatived, on division; Engrossed, (302) 1776. Passed, (303) 1786. By the

Council, with amendments, (340) 1932-1933. Motion to Consider amendments, agreed to, on division, (341) 1934. Amendments, agreed to, on division, (341-342) 1934-1936. Royal Assent, (345) 1955. (9 Vic., cap. 29.)

-----Select Committee appointed to enquire into the state of Administration of Justice in District of Montreal, on division, (200) 1182-1199. Correspondence thereon, as laid before the House, (217) 1292-1293. Referred, (217) 1293. Report, (343) 1949.

-----Question concerning amendment of judicature system in Upper Canada, 333. Answer, 333-334.

-----Bill to defray expenses of Administration of Justice in criminal matters in Upper Canada. Notice of Motion, 1106. Bill presented and read, (224) 1354. Read second time; Engrossed, (307) 1802. Passed, (309) 1811. By the Council, (330) 1897. Royal Assent, (346) 1958. (9 Vic., cap. 58.)

-----Vide also, Addresses, To His Excellency, (28, 33, 67.); Circuit Court; District of Quebec Circuit Judge; London District; Queen's Bench; Revenue And Expenditure; St. Louis De Kamouraska; Supply; Witnesses.

ADVERSE POSSESSION:--Vide Real Estate.

ADVOCATES' FEES:--Vide Fees To Advocates.

AGRICULTURE:--Petition of James Wickens, for establishment of a Provincial Agricultural Society, and a Professorship in King's College, (36) 211, (46) 259-260. Petition of Phillip ((or Philip)) Austin, Pres., and James Covernton, Sec., of the Talbot District Agricultural Society, praying for the establishment of model farms, (139) 788, (151) 864. Petition of Hon. A. N. Morin, Vice Pres., of the Agricultural Society of Montreal, praying relief, presented, (162) 942-943. Standing Rule dispensed; Read, (162) 943. Referred, (164) 947. Vide below.

-----Petitions for amending the Act 8 Vic., cap. 53: Of André Vandandaigue, (44) 256, (54) 305. Of Rev. J. Paquin, and others, (45) 257, (55) 306. Of Gabriel Marchand, and others, (49) 276, (59) 342. Referred, (56) 308, (95-96) 586. Petition of Agricultural Society of Montreal, also referred, (164) 947. A Member added to Committee, (152) 868. Report, (169) 984. Vide below.

-----Reports of Agricultural Societies of Upper and Lower Canada laid before the House, (49) 276.

-----House resolves to go into Committee to consider of amending the Act for encouragement of agriculture in Lower Canada, (52) 284. Considered, (52) 284-285. To be reported, (52) 285. Two Resolutions reported, (57) 314-315. Amendment, negatived, on division, (57) 315. Resolutions agreed to, (57) 315-316. Vide below.

-----Bill to amend the Act for encouragement of agriculture in Lower Canada, presented and read, (57) 316. Read a second time; Engrossed, (74) 463. Read third time; Ryder added; Passed, (76) 475. By the Council, with amendments, (200) 1182. Agreed to, (222) 1326. Royal Assent, (254) 1500. (9 Vic., cap. 14.)

-----Bill for formation of more than one Agricultural Society in each County in Lower Canada, and for relief of the Society for County of

Montreal, presented and read, (169) 984. Read second time; Referred, (202) 1203-1204. Reported; Committed; Considered; Reported; Engrossed, (208-209) 1245. Passed, (213) 1275. By the Council, (250) 1478.

Royal Assent, (273) 1610. (9 Vic., cap. 24.)

-----Vide also, Addresses, To Her Majesty, (2, 6.); Duties.

ALBION ROAD:--Vide Plank Roads.

ALIENS:--Bill of last Session confirmed by Her Majesty, (44) 248.

ALLEN, JUDGE HENRY:--Vide Addresses, To His Excellency, (40.)

ALLEN, MRS. MARY:--Petition of, for relief, (189) 1115, (203) 1214.

ANDERTON, PETER:--Vide Addresses, To His Excellency, (94.)

ANDREWS, JAMES K., AND OTHERS:--Petition of, for certain allowance of road to be granted to James K. Andrews, and others, (70) 450, (83) 519. Referred, (85) 522. Also Petition of John Hall, and others, referred, (105) 646. Report, (165) 950. Vide below.

-----Bill to invest in James K. Andrews a certain allowance for road, presented and read, (165) 950. Read second time; Committed; Considered; Reported; Engrossed, (185) 1057. Passed, (186) 1074. By the Council, (220) 1321. Royal Assent, (255) 1501. (9 Vic., cap. 100.)

ANNUAL VISITATION:--Bill for annual visitation of certain institutions in this Province, presented and read, (5) 14. Ordered for second reading, (40) 223. Withdrawn Bill, 374.

APPEALS:--Vide Court Of Appeals.

APPOINTMENTS TO OFFICE:--Vide Addresses, To His Excellency, (52.).

APPRENTICES:--Petition of Charles Baker, and others, for Act to compel apprentices to serve their term of engagement, (82) 515, (94) 582-583.

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ASSELIN, ANDRE ANTOINE:--Petition of, for an annual allowance as a schoolmaster, (33) 165, (37) 213.

ASSESSMENTS:--Petition of Richard Miller ((or Millar)), and others; of Municipal Council, District of Niagara, for change in the Assessment Law, as regards Niagara and Queenston, (36) 211, (46) 260. Referred, (56) 308. Petition of Municipal Council on collector's bonds, also referred, (72) 456. Report, (108) 652. Vide below. Petition of Municipal Council, District of Niagara, respecting collector's bonds, (50) 277-278, (61) 345. Another Petition from the same, on assessing property, (53) 303, (61) 347. Referred, (72) 456, (79) 484. Vide below.

-----House resolves to go into Committee to consider of amending the Assessment Laws of Upper Canada, (35) 191-192. Considered, (35) 192-197. Resolution reported and agreed to, (40) 222. Vide below.

- Bill to regulate assessments and the appointment of Collectors and Assessors in Upper Canada, presented and read, (40) 222. Read second time, on division, (75) 463-468. Committed, (75) 468-469. Petition of Municipal Council, District of Niagara, referred, (79) 484. Considered, (81) 503-508. Motion to discharge Order and refer Bill to Committee carried, on division, (98) 595-596. Further consideration discharged; Referred, (98) 596. Petition of Municipal Council, District of Simcoe, in favor, also referred, (297) 1764.
- Petition of Municipal Council, District of Simcoe, in favor of the Bill to regulate assessments, and the appointment of Collectors and Assessors in Upper Canada, (291) 1737, (297) 1764. Referred, (297) 1764. Vide above.
- Assessment Rolls of Upper Canada, for 1845, laid before the House, (42) 244.
- House resolves to go into Committee to consider of amending Assessment Laws relating to the Town of Brockville; Considered, (96) 588. Resolution reported and agreed to, (103) 617-618. Vide below.
- Bill to provide for assessment in Town of Brockville, presented and read, (103) 618. Read second time; Referred, (175) 1015-1016. Reported, (204) 1216. Committed, (211) 1255. Petition in favor of the Bill, George Crawford, (82) 514, (94) 851. Against the Bill, Petition of Henry Jones, and others, (199) 1168, (208) 1243.
- Bill to alter the mode of assessment in Niagara and Queenston, presented and read, (108) 652-653. Read second time; Engrossed, (180) 1042. Passed, (182) 1050. By the Council, (196) 1153. Royal Assent, (254) 1500. (9 Vic., cap. 51.)
- Vide also, Quebec City; Taxes.

ASSESSORS:--Vide Assessments.

ASSURANCE:--Vide Fines And Recoveries; Insurance.

ASYLUMS:--Vide Lunatics; Montreal Catholic Orphan Asylum; Montreal Protestant Orphan Asylum; Toronto Lunatic Asylum.

ATTACHMENT OF SALARIES:--Despatches on Bill of last Session, respecting, (43-44) 246-248, (44) 248.

ATTAINDER:--Vide High Treason.

ATTORNIES' CERTIFICATES:--Bill to amend the Laws relating thereto, in Upper Canada, presented and read, (215) 1287-1288. Read second time; Committed, (290) 1730-1731.

AUTHENTIC ACTS:--Vide Notarial.

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BALLOT:--Vide Montreal City.

BANKRUPTS:--Petitions on subject of Bankrupt Law: Of Montreal Board of Trade, (54) 303, (62) 348. Of Messrs. Gilmour, & Co., (269) 1599, (277) 1621. Printed, (302) 1776. Of Henry Joseph Jameson, (59) 341,

(72) 454. Referred, (72) 456.

-----Bill to amend the Bankrupt Laws, presented and read, (89) 541-543. Ordered for second reading, (180) 1041. Motion for second reading, (188) 1081-1093. Amendment, negatived, on division, (188) 1093. Main Motion agreed to, on division, (188) 1093-1094. Read second time; Referred, (188) 1094. Reported; Committed, (265) 1569. Considered; Reported; Engrossed, (308) 1803. Passed, (311) 1817. By the Council, (330) 1898. Royal Assent, (345) 1955. (9 Vic., cap. 30.) Vide Pacaud, Louis Edouard.

BANKS:--Petition of Augustin Perrault, and others, to establish a bank in City of Montreal, (36) 210, (45) 258. Referred, (46) 261. Report, (56) 308. Vide below. Petition of Pres., &c., of Commercial Bank, Midland District, for amendments to Act of Incorporation, (49) 277, (60) 344. Referred, (63) 351. Report, (96) 587-588. Vide below. Petition of Bank of Upper Canada, for reduction of tax on bank paper, (53) 302, (61) 346. Referred, (63) 351. Petition of Commercial Bank, the same, (83) 515, (95) 583. Petition of Gore Bank, the same, (88) 540, (99) 605. Referred, (95) 585, (100) 606. Report, (306) 1796-1797. Printed, (306) 1797.

-----Statements of chartered banks to be laid before the House, (42) 241. Presented, (88) 539.

-----Bill to amend the Act of Commercial Bank, Midland District, presented and read, (96) 588. Read second time; Referred, (136) 777. Reported, (169) 985. Committed, (174) 1006. Considered; Reported; Engrossed, (198) 1162. Passed, (199) 1168. By the Council, with amendments, (227) 1378. Agreed to, (231) 1387-1388. Royal Assent, (274) 1611. (9 Vic., cap. 87.)

-----Bill to incorporate "La Banque des Marchands," presented and read, (120) 735. Read second time; Referred, (181) 1043. Reported, (209) 1246. Committed, (209) 1248. Considered; Reported; Engrossed, (274) 1612. Passed, (276) 1619. By the Council, (308) 1804. Reserved for Her Majesty's pleasure, (346) 1956.

-----Bill to amend Act of Upper Canada Bank, presented and read, (165) 953. Read second time; Engrossed, (198) 1163. Passed, (199) 1168. By the Council, with amendments, (227) 1378. Agreed to, (231) 1387. Royal Assent, (274) 1611.

BAPTISMS:--Vide Marriages.

BAPTISTS:--Return of Baptist Missionary property, laid before the House, (44) 255. Petition of John Ritchie, and others, Baptists, respecting a certain piece of land in Perth, (67) 380, (76) 475.

BARTON TOWNSHIP:--Petition of Robert Jarvis Hamilton, and others, that a certain concession line in said Township be granted to Robert Jarvis Hamilton, (49) 276, (60) 343. Referred, (63) 351. Report, (79) 484. Vide below. Petition of Pres., and Board of Police, Town of Hamilton, against, (213) 1275, (219) 1314. Exempted from payment of fee on the Bill, (293) 1751.

-----Bill to convey a certain line in Township of Barton, to Robert Jarvis Hamilton, presented and read, (79-80) 484. Read second time; Referred, (155) 888. Reported, (187) 1077. Committed, (187) 1079.

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By the Council, (260) 1524. Royal Assent, (274) 1611. (9 Vic., cap. 48.)

BATHURST DISTRICT:--Petition from Municipal Council, to receive school grant for 1845, (82) 513, (93) 580.

-----Bill to enable said District to receive certain school moneys, presented and read, (97) 589. Ordered for second reading, (136) 777.
Read second time; Engrossed, (181) 1045. Passed, (182) 1049. By the Council, (258) 1512. Royal Assent, (274) 1611. (9 Vic., cap. 69.)

BAY OF QUINTE:--Question concerning survey at Bay of Quinte; Answer, 782.

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BEAUHARNOIS CANAL:--Petition of Henry Cornelius ((or Cornelius Henry)) Finlay, Contractor, for relief, (251) 1494, (263) 1563. Motion to refer Petition, negatived, on division, (265) 1567-1568.

-----Question concerning payment of damages done by workmen on the Beauharnois Canal; Answer, 1733.

BEECHER, ISAAC:--Petition of, for patent for improvement in Bark Mills, (111) 711, (142) 828. Standing Rule dispensed, (142) 828. Referred, (151) 865.

BELL, MRS. JULIA:--Petition of, for relief, (67) 381, (79) 483. Referred, (84) 521. Report, (300) 1770. Resolution, (332) 1902.

BELLECHASSE:--Petition of Jean Baptiste Laverdière, and others, for aid to facilitate their internal communications, (83) 515, (95) 583.

BELLEVILLE TOWN:--Petition of Pres. of Board of Police, for amendment in Act of Incorporation, (82) 514, (94) 581.

BERTHIER ACADEMY:--Petition of Charles Emond, and others, for aid, (67) 380, (76) 475.

BERTRAND, ALEXIS:--Petition of, for relief, (104) 644, (112) 714.

BILLS, FROM LEGISLATIVE COUNCIL:--Vide Brockville Town; Education And Schools; Gloucester Township; Lands; Magistrates Appointment; Marriages; Matthews, Peter; Registration; Universities; Vanzandt, Jacob L., and Juliet Vanzandt.

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-----House resolves to go into Committee to consider of abolishing Court of Chancery in Canada West, on division, (267) 1575-1577. Considered, (267) 1577-1580. No Report, (267) 1580.

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-----Notice of Motion concerning Resolutions on Crown Lands, 1488-1489.
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DEHERTEL, COL.:--Vide Addresses, To His Excellency, (39.).

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DEMPSEY, JOHN W.:--Petition of, to be admitted to practise in Court of Queen's Bench, (3) 6, (4) 12. Referred, (4) 12.

-----Bill to enable him to practise, presented and read, (20-21) 118. Read second time, (40) 224-225. Referred, (46) 261. Reported, (80) 485. Committed, (87) 529. Order postponed, (155) 888. Considered; Reported; Engrossed, (167) 967. Passed, (168) 983. By the Council, (196) 1153. Royal Assent, (254) 1500. (9 Vic., cap. 103.).

DEPUTY SERGEANT-AT-ARMS:--Motion to appoint André Leroux dit Cardinal, as such, during the absence of Sergeant-at-Arms, negatived, on division, (138) 786.

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DESJARDINS CANAL:--Bill to authorize Company of said Canal, to borrow a sum of money to complete the same, presented and read, (205) 1218-1219. Read second time; Committed, (243) 1450. Considered, (243) 1450-1451. Reported; Engrossed, (243) 1451. Passed, (244) 1460. By the Council, (258) 1512. Royal Assent, (274) 1611. (9 Vic., cap. 85.)

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James; Divorce; Duties; French Language; Governor General, Messages From His Excellency, (1, 3, 4, 11, 12, 18, 19.); Merchant Seamen; Metcalfe, Lord; M'Leod, Alexander; Naturalization; Navigation; Quebec Fires; Railroad, Halifax; Railroad, St. Lawrence And Atlantic; Railroads.

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DISTRICT COURTS ACT, UPPER CANADA:--House resolves to go into Committee, on amending Act of last Session, relating thereto, Committed; Considered, (14) 97. Committed, (40) 223. Considered, (40) 223-224. Resolution reported and agreed to, (43) 244. Vide below.

-----Bill to amend the Act regulating the practise of District Courts, in Upper Canada, presented and read, (43) 245. Read second time; Committed, (75) 469-470. Considered, (148) 850. Re-committed, (152) 868. Considered, (161) 930-931. Reported; Engrossed, (166) 957. Passed, (168) 983. By the Council, (200) 1182. Royal Assent, (254) 1501. (9 Vic., cap. 7.).

-----Bill to amend, consolidate, &c., the Laws regulating the practise of District Courts in Upper Canada, presented and read, (307) 1799. Motion for second reading, negatived, on division, (318) 1856. Read second time, on division, (331) 1900-1901. Motion for Bill to be engrossed; Amendment, negatived, on division, (331) 1901. Main Motion agreed to, on division, (331-332) 1901. Engrossed, (332) 1901. Passed, on division, (333) 1908. By the Council, (344) 1952. Royal Assent, (345) 1956. (9 Vic., cap. 36.)

DISTRICT OF QUEBEC, CIRCUIT JUDGE:--Question concerning appointment of another Circuit Judge for the District of Quebec, in the place of W. K. M'Cord; Answer, 570.

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DIVORCE:--Despatch on reserved Bill of last Session, relative to Harris' divorce, (29) 140-141. Printed, (31) 147.

DIXON, WILLIAM:--Petition of, for retired allowance as Messenger of Legislative Assembly, (162) 942, (176) 1026. Referred, (176) 1027-1028. Report, (300) 1770. Resolution, (332) 1902.

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-----Question concerning the Ministry's intention to purchase the Dorchester Bridge; Answer, 570.

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DUFFIN'S CREEK:--Petition of Thomas Champion, and others, for erection of bridge over said Creek, (297) 1763, (309) 1812.

DUNCAN, WILLIAM:--Vide Roads And Bridges.

DUNDAS AND WATERLOO ROAD:--Vide Roads And Bridges.

DUNHAM ACADEMY:--Petition of William Baker, and others, for aid, (139) 788, (150) 863.

DURAND, JAMES:--Petition to be reimbursed his necessary expenses in the matter of the contested election for writ, riding of County of Halton, presented, (202) 1212. Read; Standing Rule dispensed, (208) 1244. The Clerk to pay from Contingencies a sum not exceeding £200. Motion, (214) 1278-1282. Amendment, negatived, on division, (214) 1282-1284. Amendment, negatived, on division, (214) 1284-1285. Amendment, negatived, on division, (214) 1285. Amendment, agreed to, on division, (214-215) 1285-1286. Main Motion, as amended, agreed to, (215) 1286-1287.

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-----Despatch on Address of last Session respecting duties on colonial built shipping, (11) 90. Despatch on Address of last Session on subject of duty on tobacco grown in this Province, (12) 92. Despatch on Address of last Session relative to trade and navigation, (12-13) 92-

95. Despatches, printed, (14) 96. Despatch on Bill of last Session relative to customs duties, dated 3 February 1846, laid before the House, (31) 145-146. Printed, (31) 147. Referred, together with despatch respecting supplies to Her Majesty's troops, (48) 268. Report, (287-288) 1702-1703.

-----Despatch from Rt. Hon. W. E. Gladstone on subject of duties on wheat, flour, and other grain, (164) 947-948. Printed, (164) 948.

-----House resolves to go into Committee to consider the Laws respecting duties on stills, (89) 544-545. Considered, (89) 545-546. Resolution reported and agreed to, (97) 591. Vide below.

-----House resolves to go into Committee to consider of amending the Act 6 Vic., cap. 31, and the schedule of duties by 8 Vic., cap. 3, (111) 663. Considered, (111) 663-695, (141) 799-819. Resolutions reported and agreed to, on division, (145-146) 839-842. Motion to recommit sixth Resolution, negatived, on division, (146) 842-843. Sixth Resolution, carried, on division, (146) 843-844. Seventh resolution agreed to, (146) 844. Vide below. House again in Committee, (175) 1006. Considered, (175) 1007-1015. Three Resolutions reported and agreed to, on division, (179-180) 1038-1040. Vide below.

-----House resolves to go into Committee to consider of repealing Acts imposing duty on spirituous liquors, and provide for collecting said duty, (210) 1250-1251. Considered, (287) 1684. Resolution reported, (289) 1706. Vide below.

-----Bill respecting duty on distillers and spirituous liquors, presented and read, (97) 591. Read second time, (174-175) 1006. Committed, (175) 1006. Considered, (188) 1094-1098. Reported; Engrossed, (197) 1156. Passed, (199) 1168. By the Council, (220) 1321. Royal Assent, (255) 1502. (9 Vic., cap. 2.)

-----Bill to alter and amend the duties imposed on the importation of certain articles therein mentioned, presented and read, (146) 844.

-----Bill to alter and amend the Laws imposing provincial duties of customs, presented and read, (180) 1040-1041. Read a second time; Engrossed, (188) 1081. Passed, (190) 1116. By the Council, (205) 1226. Royal Assent, (254) 1501. (9 Vic., cap. 1.)

-----Bill to repeal Law imposing duty on selling spirituous liquors, and to provide for collection, &c., presented and read, (289) 1706. Read second time; Committed; Considered, (314) 1828. Read, on division, (337) 1922-1923. Considered, (337) 1923.

-----Vide also, Addresses, To Her Majesty, (3, 8, 14.); Governor General, Messages From His Excellency, (1, 3.); Supply.

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EASTERN DISTRICT:--Vide Addresses, To His Excellency, (87.).

EDUCATION AND SCHOOLS:--Petitions to amend Common School Act: Of Municipal Council, District of Simcoe, (3-4) 10, (15) 104. Of Moyse Lemire, and others, (4) 11, (16) 106. Of District Council, Home District, (10) 83, (16) 107. Printed, (39) 217. Of Municipal Council, Municipality of Ascot; of H. N. Hill, and others, (10) 84, (17) 108. Of Municipal Council, District of Niagara, (36) 210, (45) 258. Of Joseph Chaurette,

- and others, (49) 276, (60) 343. Of H. P. Paré, and others, (53) 302, (61) 346. Of W. B. Simpson, and others, County of Vaudreuil, (54) 303, (62) 348. Of William Kent, and others, Home District, (54) 304, (62) 349. Of E. P. Wilgress, and others, (58) 340, (71) 451. Of James Carpenter, and others, (70) 450, (84) 519. Of W. Simpson, and others, (99) 604, (112) 713. Of M. Townsend, and others, (111) 711, (142) 829. Of John Oswald, and others, (139) 788, (150) 863. Of William Barrett, and R. A. Symms, (155) 896, (163) 944. Of Rev. William M'Murray, and others, Ancaster, (162) 942, (176) 1027. Vide below.
- Petitions for aid: Of Society of Education, District of Quebec, (10) 84, (17) 109. Of Rev. Andrew Balfour, grammar school, in Waterloo, (53) 302, (61) 346. Of Very Rev. T. Cooke, and others, Three Rivers, (53) 302, (61) 347. Of Rev. John Cook, D. D., and others, of Quebec, (54) 303, (62) 348.
- Petition of Rev. C. Larocque, and others, for unclaimed balance of school moneys for Parish of St. Jean L'Evangéliste, (44) 256, (54) 305.
- Petition of Rev. J. M. Cramp, against aid to denominational schools and colleges, (82) 514, (94) 581. Petition of Rev. Job Deacon, and others, that the Church of England may have the control of its share of common school funds, (82) 514, (94) 582. Of Rt. Rev. Lord Bishop of Toronto, and others, the same, (111) 711, (142) 828. Of Thomas Percival, and others, the same, (155) 896, (163) 945. Of J. Gamble Geddes, and others, the same, (189) 1115, (203) 1214.
- House resolves to go into Committee to consider of amending the Common School Law of Upper Canada, (39) 221. Considered, (40) 221-222. Resolution reported and agreed to, (42) 244.
- Question concerning amendment of School Law; Answer, 439-440.
- House resolves to go into Committee to consider of repealing and amending the School Act, (111) 662. Considered, (111) 662-663. Resolution reported and agreed to, (136) 773. Vide below.
- Notice of Motion concerning grammar schools in Upper Canada, 1516.
- Report on a system of public elementary instruction for Upper Canada, laid before the House, (63) 352. Printed, (197) 1156. Report of Superintendent of education for Lower Canada, laid before the House; Printed, (157) 909. Annual report of Assistant Superintendent of education, in Canada West, laid before the House, (259) 1514.
- Question concerning report of Rev. A. MacNab on the education of Upper Canada; Answer, 1516.
- Bill for the better establishment and maintenance of common schools in Upper Canada, presented and read, (42-43) 244. Read a second time; Committed, (75) 469. Considered, (92) 564-569, (98) 592-595, (141) 819-820. Reported, (146-148) 844-846. Motion that concurrence be separately put on amendments, (147) 846-847. Amendments, negatived, on division, (147-148) 847-848, (148) 848. Concurrence to main amendments, (148) 848. Passed, (157) 909. By the Council, with amendments, (227) 1378. Amendment, negatived, (236) 1421-1422. Reasons; Conference desired, (236) 1422. Vide Legislative Council, Messages To. Council withdraw their amendments, (250) 1478. Royal Assent, (274) 1611. (9 Vic., cap. 20.)
- Bill for vesting in trustees sites of schools in Upper Canada, from Legislative Council; Read first time, (80) 486. Ordered for second

reading, (103) 617. Read second time; Ordered for third reading, (167) 968. Amended; Engrossed, (206) 1233. Passed, (208) 1243. Agreed to by the Council, (215) 1287. Royal Assent, (254) 1501. (9 Vic., cap. 17.)

-----Bill to amend Act relating to appropriation of moneys from sale of school lands in Upper Canada, presented and read, (96-97) 588-589.

Read second time; Engrossed, (167) 967. Passed, (168) 982. By the Council, (196) 1153. Royal Assent, (254) 1500. (9 Vic., cap. 19.)

-----Bill to make better provision for elementary instruction in Lower Canada, presented and read, (136) 773-774. Ordered for second reading, (181) 1044, (188-189) 1098, (207) 1237. Read second time, (212) 1258-1268. Committed, (212) 1268. Considered; Engrossed, (257-258) 1509-1511. Reported, (272) 1605. Motion for concurrence, (272) 1605. Amendment, agreed to, on division, (272) 1605-1606. Main Motion, as amended, agreed to, (272) 1606. Again Committed, (272) 1606-1607. Considered, (272) 1607. Reported, (272-273) 1607. Amendments, agreed to; Amendment to twentieth clause, (273) 1607. Amendment to twenty-second clause, negatived, on division, (273) 1607-1608. Another amendment to same, (273) 1608-1609. Amendments to thirty-eighth and thirty-ninth clauses; Engrossed, (273) 1609. Read third time, (276) 1618. Ryder added, on division, (276) 1618-1619. Passed, (276) 1619. By the Council, with amendments, (319) 1859. Agreed to, (322) 1868-1870. Royal Assent, (346) 1958. (9 Vic., cap. 27.)

-----Vide also, Asselin, André Antoine; Bathurst District; Berthier Academy; Bowes, William; British And Canadian School Society; Burrage, Rev. Robert R.; Charleston Academy; Clarenceville Academy; Colleges; District Schools; Dunham Academy; Jesuits; Lassiseraye, Charles Hubert; Quebec British And Canadian School Society; Shefford Academy; Sherbrooke Academy; Stanstead Seminary; Universities.

EDWARDSBURGH TOWNSHIP:--Petition of William Gibson, and others, to confirm a certain line in said Township, (70) 450, (83-84) 519. Referred, (291) 1737. Report, (333) 1909. Vide Addresses, To His Excellency, (103.).

ELECTIONS:--Vide Leslie, Anthony; Montreal Municipal Elections; Privileges And Elections.

-----Question concerning Ministry's intention to introduce to Lower Canada an Election Law; Answer, 250.

-----Bill to regulate elections in Lower Canada, presented and read, (65) 364. Read second time; Referred, (149) 854. Reported; Committed, (191) 1120.

ELECTIONS, CONTROVERTED, HALTON COUNTY, WEST RIDING:--Committee report absence of Members, (5) 13, (11) 85, (164) 949, (168-169) 984, (176) 1028. Adjournments of Committee, (11) 89, (69) 384-385, (161) 921, (183) 1053. Report of Commissioners, (53) 297. Report Resolution for Commissioners to appear at the Bar of the House, (63) 352-359. Amendment, negatived, on division, (63-64) 359-361. Main Motion agreed to, on division, (64) 361. Appearance of Commissioners, (113) 715-716. To await further Orders, (113) 716-717. Petition of Commissioners to be relieved from attendance, presented and read, (138-139) 786-787, (139) 787-788. Commissioners again appear, (140) 794-795. Com-

missioners withdraw, (140) 795. Motion that Chairman of Select Committee attend in his place, negatived, on division, (140) 795-796. Motion to admonish and discharge Commissioners, (140) 796. Amendment, negatived, on division, (140-141) 797-798. Amendment to main Motion, negatived, on division, (141) 798. Main Motion carried, on division, (141) 798. Commissioners admonished by Mr. Speaker, (141) 799. Report two Resolutions, (183) 1052-1053. Member excused, (184) 1054. Final report, (203) 1215.

-----Vide also, Durand, James.

ELECTIONS, CONTROVERTED, MIDDLESEX COUNTY:--Committee report absence of Members, (5) 12-13, (11) 85, (20) 117, (34) 167, (140) 789-790. Adjournments of Committee, (51) 280-281, (145) 839, (174) 1006. Committee report two Resolutions; Agreed to, (41) 236-237. Commissioners to appear at the Bar of the House, (41) 237-238. Appearance, (47) 263. Examined, (47-48) 263-264. Order for appearance of George S. Tiffany, a Commissioner, discharged, (48) 264-265. Commissioners to return the evidence taken by them, negatived, on division, (48) 268-269. Report of Commissioners, (88) 539. Committee report a letter from one of the Commissioners, (119) 731-732. Commissioners to be taken into custody, (119) 732-733. Further Consideration to be postponed, negatived, on division, (119-120) 733-734. Main Motion, carried, (120) 734. Members attend in their places; Order of the Day discharged, (145) 839. Commissioners to remain in custody until the further Order of the House, (150) 861-862. Petition of Commissioners to be relieved from attendance, presented and read, (150) 862. Appearance, (156) 897-898. Commissioners withdrawn, (156) 898. To commit for contempt, (156) 898-901. Amendment to discharge, negatived, on division, (156) 901-906. Amendment to main Motion carried, on division, (156-157) 906-907. Main Motion agreed to, (157) 907. Motion to admonish and discharge carried, on division, (157) 907-908. Discharged with admonition from Mr. Speaker, (157) 908. Committee report three Resolutions, (164) 948-949. Final report, (199) 1169. New Commission to take evidence agreed to, on division, (178-179) 1033-1038. Superseded, (244) 1458. Petition of William Notman, to be reimbursed his expenses, presented; Standing Rule dispensed; Read, (185) 1073. Motion to tax the costs of the Petitioner in the case of the controverted election for the County of Middlesex, negatived, on division, (196) 1151-1152.

ELECTIONS, CONTROVERTED, OXFORD COUNTY:--Petition of Robert Riddell, Sitting Member, against receiving the report of the Commission on said election, ordered last Session, presented and read, (3) 5-6. Motion to refer said Petition to Standing Committee on Privileges, (52) 288-289. Decided by Mr. Speaker to be out of order, (52) 289. Division on decision carried, (52-53) 289-290. Committee report absence of Members, (5) 13, (11) 85, (20) 117-118, (34) 167, (38) 216, (42) 238, (47) 262, (51) 281, (56) 309-310, (183) 1051, (195) 1150, (213) 1276-1277, (265-266) 1569-1570, (266) 1570, (271) 1602. To dissolve the Committee, being less than nine Members, (11) 85-89. Consideration postponed, (11) 89. Considered, (32) 152-157. Further consideration postponed by casting vote of Mr. Speaker, on division, (32-33) 157-

158. Considered, (40) 225-229. Negatived, on division, (40-41) 230. Committee to proceed to business though a Member be absent, (56) 310. Adjournment, (69) 386, (168) 983, (213) 1276-1277. Final report, (281) 1642. Report of Commissioners, (14) 102.

ELECTIONS, WRITS ISSUED DURING THE RECESS:--

FOR WHAT PLACE.	IN THE ROOM OF.	ON WHAT ACCOUNT.
Town of Three Rivers. . . .	Edward Greive, Esq. . . .	.Deceased. .(1) 1.
	Pierre Elzéar	
County of Dorchester. . . .	Taschereau, Esq. . . .	.Deceased. .(1) 1-2.
County of Huron	William Dunlop, Esq . . . .	.Resigned. .(1) 2.

ELECTIONS, WRITS ISSUED DURING THE SESSION:--

FOR WHAT PLACE.	IN THE ROOM OF.	ON WHAT ACCOUNT.
County of Carleton.	James Johnston, Esq . . . .	.Resigned. .(244) 1458.
County of	John Philip	Resigned. .(266)
Prince Edward	Roblin, Esq . . . . .	. . . . . 1570-1571.

EMIGRATION AGENTS:--Question concerning emigration agents; Answer, 1516.

ETOBICOKE:--Vide Macadamized Roads.

EXCHANGE:--Vide Expiring Laws; Foreign Bills Of Exchange; Inland Bills Of Exchange.

EXECUTIVE COUNCIL:--Reference to correspondence made, ((87)) 531-533.
-----Vide Addresses, To His Excellency, (21, 45.); Clergy Reserves.

EXPENDITURE:--Vide Revenue And Expenditure.

EXPIRING LAWS:--Standing Committee appointed on, (38) 215, (41) 235.

First report, regulating common of Seignory of Laprairie de la Madeleine; Seignory LaBaie du Febvre; Protested Bills of Exchange; Road Act of 36 Geo. 3, cap. 9; Trinity House, Montreal; Erection of Parishes, Churches, &c.; Inspection of fish and oil, (265) 1568.

-----Bill to continue certain Acts and Ordinances, presented and read, (265) 1568. Read second time; Engrossed, (284) 1674. Passed, (287) 1702. By the Council, (308) 1804. Royal Assent, (345) 1955. (9 Vic., cap. 39.)

EXPORTS:--Vide Imports And Exports.

F

FEES TO ADVOCATES:--Bill to allow such fees in certain Commissioners Courts, presented and read, (92) 559.

-----House resolves to go into Committee to consider of granting fees to certain Advocates, (171) 997-998. Considered; Committee rise; No report, (171) 998.

FELTON, JOHN:--Petition of, compensation for loss sustained as Agent of

Crown Lands, in Districts of Sherbrooke, Nicolet, and Missisquoi, (4) 11, (16) 106.

FERRIES:--Petition of Horatio N. Patton, and others, to vest the ferry between the City of Quebec and Point Lévy, in the Corporations of the said City, (15) 103, (37) 213. Referred, (143) 829. Also, Petition of Féréol Roy, and others, (151) 865. Petition of Féréol Roy, and others, against the Petition of Horatio N. Patton, and others, (83) 515, (95) 583. Referred, (151) 865. Vide above. Petition of Henry Ruttan, and others, for ferry and road, from Cobourg to Gore's Landing, (4) 11, (15) 105. Petition of Corporation of Prescott, in favour of Bill before the House, (251) 1494, (263) 1563. Petition of John Glen, and others, respecting nuisances at the landing of the Montreal and Longueuil ferry, (41) 235, (50) 278-279. Petition of D. D. Calvin, and others, for exemption of Act of last Session, relating to ferries, (58) 340, (71) 451. Referred, (73) 457. Petition of Edmund Riselay, and others, respecting the regulation of ferries, (76) 474, (84) 521. Referred, (95) 586. Petition of James Kerby, the same, (276) 1618, (282) 1670.

-----Bill to amend and explain Act of Upper Canada, relating to ferries, presented and read, (166) 954. Read second time, (206) 1233-1235. Committed; Considered, (206) 1235. Reported; Engrossed, (212) 1257. Passed, (213) 1275. By the Council, (227) 1378. Royal Assent, (254) 1501. (9 Vic., cap. 9.)

FEUDAL TENURE:--Petition of E. Dalaire, and others, for abolition of seigniorial rights, (54) 304, (62) 348. Petition of John Sriver, for extension of the Law, (112) 712, (142) 829. Vide Commutation Of Tenure.

-----Question concerning the Ministry's intention to repeal the feudal tenure; Answer, 570.

-----Question concerning abolition of lods et ventes; Answer, 977.

-----Question concerning Ministry's intention to abolish lods et ventes; Answer, 1019.

-----Vide also, Addresses, To His Excellency, (64.).

FINES AND RECOVERIES:--Bill to substitute more simple modes of assurance in lieu of fines and recoveries, presented and read, (32) 148-149. Read second time; Committed, (57) 316. Considered; Reported; Engrossed, (75) 470. Passed, (83) 519. By the Council, (144) 833. Royal Assent, (254) 1500. (9 Vic., cap. 11.)

FIRES:--Select Committee appointed to inquire into causes of fires by steam engines on land or by water, (39) 220. Vide also, Quebec Fires; Saguenay County.

FISH AND FISHERIES:--Petition of Walter H. Dickson, and others, for Act to regulate the fisheries, (83) 515, (94) 583.

-----Bill to prevent persons fishing on the Lake Shores in Upper Canada, at certain seasons, presented and read, (140) 793. Read second time; Committed, (181) 1044. Considered; Reported; Referred, (207) 1236.

-----Vide also, Expiring Laws.

FLAMME, LOUISE ARMAND DITE:--Petition of, for a pension, (59) 341, (71) 452.

FOREIGN BILLS OF EXCHANGE:--Bill to amend the Law respecting the same, presented and read, (101) 609-610. Read second time; Referred, (180) 1041. Reported, (255) 1503.

FORGERY:--Bill to amend the Laws respecting forgery, presented and read, (89) 546. Read second time; Engrossed, (161) 930. Passed, (162) 943. By the Council, (209) 1250. Royal Assent, (255) 1501. (9 Vic., cap. 3.)

FORGES:--Vide St. Maurice Forges.

FOUNDINGS, QUEBEC:--Vide District Of Quebec Foundlings.

FORWARDING COMPANIES:--Vide Quebec Forwarding Companies.

FRASER, RICHARD D.:--Petition of, for remuneration for military services, (58) 340, (71) 452. Referred, (73) 458.

FREELAND, WILLIAM:--Vide Addresses, To His Excellency, (73.).

FREMONT, MRS. CHARLOTTE:--Widow of Jasper Brewer, for the continuation of the pension of her late husband, (291) 1737, (297) 1763-1764. Referred, (297) 1764. Reported, (320) 1864.

FRENCH LANGUAGE:--Despatch relative thereto, in answer to Address of last Session, (13-14) 95-96. Printed, (14) 96.

-----Conversation about translation of Bills into French, 637.

-----Complaint concerning delay in French translation of Bills, 782.

G

GAME:--Petition of Hon. Antoine Gaspard Couillard, and others, of County of L'Islet, to prevent the total destruction of wild fowl in said County, (10) 84, (16) 108. Referred, (38) 215. Report, (67-68) 381. Vide below.

-----Bill to preserve wild fowl in County of L'Islet, presented and read, (68) 381. Read second time; Committed; Considered, (149) 854. Reported; Engrossed, (152) 868. Passed, (158) 910. By the Council, (205) 1226. Royal Assent, (254) 1500. (9 Vic., cap. 76.)

GAOLS:--Petition of Archbishop of Quebec, and others, for extension of gaol at Quebec, (45) 257, (55) 307.

GAS:--Vide Montreal City; Quebec City.

GASPE:--Vide Administration of Justice; Magdalen Islands; Marriages; Municipalities.

GAUTHIER, AUGUSTIN, JR.:--Petition of, for addition to his allowance as inspector of anatomy, (10) 84, (17) 109.

GEMMILL, JOHN R.:--Petition of, for grant of land, received by his late father, (36) 211, (46) 260. Referred, (47) 261-262. Report, (109) 654-655.

GEOLOGICAL SURVEY:--Vide Addresses, To His Excellency, (85.).

-----Report of progress of geological survey in the year 1844, laid

before the House, (342-343) 1949.

GLEBES:--Vide Addresses, To His Excellency, (36.).

GLOUCESTER TOWNSHIP:--Bill to defin certain side lines, from Legislative Council; Read first time, (89) 544. Read second time, (103) 615. Passed, (138) 781. Royal Assent, (254) 1501. (9 Vic., cap. 49.) Vide also, Surveying.

GOURLAY, ROBERT FLEMING:--Petition of, for relief, (67) 381, (76-79) 476-482. Printed, (81) 498. Vide below. Petition of, to be heard at the Bar of the House, (185) 1073, (190-191) 1117-1119. Printed, (196) 1151. To be heard at the Bar, negatived, on division, (221) 1322. Petition of, respecting arrest and imprisonment, and praying compensation, (259) 1521, (263-264) 1563-1566. And another Petition, for compensation, (255) 1502, (264-265) 1566-1567. Printed, (266) 1571. The four Petitions of Robert Fleming Gourlay to be printed in the JOURNALS, (342) 1949.

-----Motion that Petition of Robert Fleming Gourlay be referred to a Special Committee, 637-639. Withdrawn Motion, 639.

GOVERNMENT BUILDINGS:--Vide Governor General, Messages From His Excellency, (6.).

GOVERNOR GENERAL:--His Speech at the opening of the Session, reported by Mr. Speaker, (2) 3-4. Day appointed for taking the same into Consideration, (2-3) 5. Printed, (3) 5. Considered, (5) 14. Resolutions moved, (5-6) 14-22. Amendment, negatived, on division, (6) 22-28. Main Motion, carried, on division, (6) 28-63. Vide Addresses, To His Excellency, (18.). Again to be Considered, (42) 241. Considered, (49) 271-272. Vide Supply.

-----Address congratulating His Excellency on His appointment as Her Majesty's representative, to be presented by the whole House, (165-166) 953-954. Vide Addresses, To His Excellency, (62.).

-----Gives Royal Assent to Bills, (254-255) 1500-1502, (273-274) 1610-1611, (344-345) 1954-1956, (346-347) 1958.

-----His Speech at close of Session, (347) 1958-1960.

GOVERNOR GENERAL, MESSAGES FROM HIS EXCELLENCY:--Desiring the attendance of the Legislative Assembly in the Chamber of the Legislative Council, (1) 1, (87) 538, (254) 1499-1500, (273) 1610, (344) 1954.

1. With despatches, in Answer to Addresses of last Session, (11-12) 89-90. Duties on Colonial built shipping, (11) 90. On behalf of Alexander M'Leod, (11-12) 91. On behalf of Mr. Crooks, (12) 91-92. Reduction of duty on Canadian tobacco, (12) 92. On joint Addresses on trade and navigation, and on naturalization, (12-13) 92-95. On joint Address on use of French language, (13-14) 95-96. Printed, (14) 96.
2. With report of the Commissioners on the post office, of last Session, (21) 123.
3. With despatches, on registration of merchant seamen, (22) 124-125. On Lord Metcalfe's elevation to the peerage, (22) 125. On duties imposed on articles for use of Her Majesty's troops, (22-23) 125-128. Sir William Burnett, and Mr. Payne's preparation for preser-

- vation of timber from fire, (23-28) 128-138. Desertion of merchant seamen, (28) 138-139. St. Lawrence and Atlantic Railway Company, (28-29) 139-140. Harris' Divorce Bill, (29) 140-141. Right of property in British plantation vessels, (29) 141-142. General instructions to Colonial Railway Acts, (29-31) 142-145. On Customs Act of last Session, (31) 145-146. Despatches, printed, (31) 147.
4. On Addresses, To His Excellency, (20.), respecting reserved Bills, (43) 246. Also two despatches on Bill of last Session on attaching official salaries, (43-44) 246-248, (44) 248.
 5. On Addresses, To His Excellency, (22.), respecting Ordnance Department, (81) 498-499.
 6. On acquiring suitable sites for Government House, Parliament House, and Public Offices, (85) 523.
 7. On application of Hon. Louis Joseph Papineau, for arrears on salary, (85) 523-524. Vide Supply.
 8. On Addresses, To His Excellency, (38.), respecting sale of Clergy Reserves, (90-91) 548-551. Printed, (91) 551.
 9. On Addresses, To His Excellency, (44.), respecting suspending sale of the Clergy Reserves, (108) 652.
 10. On Addresses, To His Excellency, (53.), respecting warrant in favor of William Burns Lindsay, for £5,000, (114) 719.
 11. With despatches relating to the formation of a railroad between Quebec and Halifax, (120-123) 736-744. Printed, (135) 771.
 12. With despatches relating to the boundary line between New Brunswick and Canada, (124-135) 744-771. Printed, (135) 771.
 13. On Addresses, To His Excellency, (45.), respecting McGill College, (187) 1079-1080.
 14. For issue of debentures for £100,000 for Quebec fires, (210) 1253. Vide Quebec Fires.
 15. On Addresses, To His Excellency, (56.), respecting correspondence relative to King's College, (212) 1268.
 16. With correspondence relative to accommodation for the Superior Courts of Upper Canada, in Osgoode Hall, (215-217) 1288-1292. Vide Supply.
 17. Respecting fire in County of Saguenay, (221) 1322. Vide Addresses, To His Excellency, (74.).
 18. With despatch, &c., on survey of railroad from Quebec to Halifax, (227-228) 1379-1382. Committed, (266) 1571.
 19. With despatch in Answer to Addresses, To Her Majesty, (3.), on subject of duty on grain, (229) 1382-1383.
 20. With revenue and expenditure for year ending 31 Dec. 1846, with estimate for same year, (229) 1383.
 21. For debentures for £30,000 for lunatic asylum at Toronto, (242) 1447. Vide Supply.
 22. For application of £19,000 to erection of light houses and refuge stations in Gulf of St. Lawrence, (260) 1557. Vide Supply.
 23. With fourth, fifth, and Special Reports of the Commission of indemnification, under 1 Vic., cap. 7, and 2 Vic., cap. 35, (260) 1557.
 24. On Addresses, To His Excellency, (90.), for warrant in favor of William Burns Lindsay, for £4,000, (303) 1786.
 25. With supplementary estimate for service of present year, (312-313) 1821-1823. Referred, (313) 1826. Vide Supply.

26. On Addresses, To His Excellency, (100.), respecting sessional allowance to Members. (£9,237 3s.), (338) 1925.
27. On Addresses, To His Excellency, (102.), for warrant in favor of William Burns Lindsay, for £10,161 18s. 1½d., (338) 1925. Vide also, Addresses, To His Excellency, (53, 90.).

GRAIN:--Vide Addresses, To Her Majesty, (3, 8.).

GRAMMAR SCHOOLS:--Vide Education And Schools.

GREAT WESTERN RAILROAD:--Vide Railroad, Great Western.

GUGY, BARTHOLOMEW CONRAD AUGUSTUS:--Notice of Question concerning Ministry's intention to inquire into the conduct of Col. Guky, 373. Question; Answer, 440.

-----Motion concerning Col. Guky's conduct, passed over, 977.

-----Vide Addresses, To His Excellency, (39.).

GULF OF ST. LAWRENCE:--Bill to authorise the appropriation of £19,000 for the improvement thereof, presented and read, (289) 1705. Read second time; Engrossed, (307) 1802. Passed, (309) 1811. By the Council, (330) 1897. Royal Assent, (346) 1958. (9 Vic., cap. 60.)

H

HALDIMAND COUNTY:--Petition of Robert H. Bruce, and others, for reduction of certain rivulets in said County, (82) 513, (93) 580. Referred, (96) 586. Report, (164-165) 949-950. Committed, (174) 1005. Printed, (192) 1143. Considered; No report, (236) 1421.

HALIFAX RAILROAD:--Vide Railroad, Halifax.

HAMILTON:--Petition of Sir Allan Napier MacNab, and others, to extend the limits, and to erect the same into a City, (44) 256, (55) 305. Referred, (163) 946. Report, (169) 985. Vide below.

-----Bill to amend Act incorporating Town of Hamilton, and to erect the same into a City, presented and read, (174) 1005. Read second time; Referred, (206) 1235. A Member added to Committee, (210) 1250. Reported; Committed, (237) 1435. Considered, (282) 1663. Reported, (286) 1681. Engrossed, (287) 1681. Passed, (287) 1702. By the Council, with amendments, (313) 1826. Amendments amended, (317-318) 1853-1854. Amendments engrossed; Passed, (318) 1854. Amendments agreed to by the Council, (330) 1898. Royal Assent, (345) 1955. (9 Vic., cap. 73.) Against the Bill: Petition of William New, and others, (262) 1562, (277) 1620.

-----Vide also, Barton Township.

HAMILTON AND TORONTO RAILROAD:--Vide Railroad, Hamilton And Toronto.

HARBOUR DUES:--Petition of M. T. Hunter, and others, for exemption from, in certain cases, (83) 515, (95) 583. Vide Addresses, To His Excellency, (65.).

HARBOURS:--Petition of William Rowe, and others, for Act to incorporate "The Granby Harbour Company", (3) 6, (4) 12. Referred, (41) 236. Re-

port, (100) 608. Standing Rule dispensed, (103) 617. Petition of James Hutchison, and James F. M'Carthy, for grant to construct a harbour at Port Burwell, (33) 165, (37-38) 214. Of W. F. Wallace, (75) 474, (84) 521. Of G. Wrong, and Alexander Saxton, the same, (82) 513, (93) 580. Referred, (72-73) 456-457, (95) 584-585. Of William Charles Hume, for completion of a certain interval of Windsor Harbour and Sturgeon Bay Road, (82) 514, (94) 581. Of Joseph Browitt, and others, the same, (142) 827, (158) 911. Report, (191-192) 1120-1121. Petition of Bronte Harbour Company, for renewal of their charter, (45) 257, (55) 307. Referred, (79) 483. Report, (89) 541. Vide below. Petition of John Burwell, relative to his stock held in Port Burwell Harbour Company, (59) 341, (71) 452. Petition of Colvin ((or Calvin)) Gates, and others, for construction of a harbour at Sandusky Creek, (58) 340, (71) 452. Referred, (85) 522.

-----Bill to revive Bronte Harbour Act, presented and read, (97) 590-591. Read second time; Engrossed, (136) 777. Passed, (139) 789. By the Council, (169) 985. Royal Assent, (255) 1502. (9 Vic., cap. 97.)

-----Question concerning the Ministry's intention to make Oshawa a port of entry; Answer, 571.

-----Question concerning Ministry's intention to grant money for the improvement of Toronto Harbour; Answer, 1516.

-----Vide also, Addresses, To His Excellency, (98.); Supply.

HARRIS, HENRY WILLIAM:--Vide Divorce.

HASTINGS, COUNTY OF:--Vide Registration.

HAWKINS, ALFRED:--Twenty-five copies of his plan of operations before Quebec in 1759, to be obtained by the Clerk of the House, on division, (336) 1917.

HEAVENER ((OR HAVENER)), MRS. MARGARET:--Petition of, for a pension, (44) 256, (55) 306. Referred. (55) 307. Report, (68) 382.

HIGH TREASON:--Bill to restore the rights of certain persons attained for high treason. Notice of Motion, 933. Bill presented and read, (166) 954. Read second time; Committed, (188) 1098. Considered, (202) 1203. Reported; Engrossed, (205) 1219. Passed, (208) 1243. By the Council, (220) 1321. Reserved for Her Majesty's pleasure, (346) 1956.

-----Vide also, Addresses, To His Excellency, (63.); Cameron, Donald; Matthews, Peter.

HILL, CHARLES:--Petition of, indemnification for loss of land, (53) 303, (61) 347. Referred, (73) 457. Report, (209) 1245-1246.

HILLIER TOWNSHIP:--Petition of James Pearson, and others, for new survey of third concession of said Township, (4) 11, (16) 106. Petition of Gideon B. White, and others, for a certain survey in said Township, to remain as at present, (82) 514, (94) 582.

HOCHELAGA:--Vide Municipalities.

HOOFSTETTER, PHILIP ((OR PHILLIP)), AND OTHERS:--Petition of, that a certain lot of land be vested in them, (139) 788, (150) 863.

HOSPITALS:--Petition of Marie Honorine Pinsonault dite St. Joseph, and

others, Religious Sisters of Charity, for Act of Incorporation of Hôtel Dieu, St. Hyacinthe, (4) 10, (15) 105. Referred, (17) 110. Report, (39) 217. Vide below. Petition of Sister E. Forbes dite M'Mullen, and other Ladies, of General Hospital, Montreal, (Soeurs Grises), to be empowered to sell certain portions of their property, (75) 474, (84) 520-521. Referred, (164) 947. Report, (169) 985. Vide below. Petition of Montreal General Hospital, for aid, (15) 103, (37) 212. Petition of Hon. Robert S. Jameson, and others, Trustees, for Act of Incorporation, and aid to Toronto Hospital, (105) 644, (113) 714. Vide below.

-----Select Committee, to inquire into affairs of Toronto Hospital endowments, (160) 920.

-----Bill to incorporate "La Communauté des Filles de la Charité", St. Hyacinthe, presented and read, (39) 217. Ordered for second reading, (49) 271. Read second time; Referred, (53) 297. Reported; Engrossed, (110) 658. Passed, (112) 712. By the Council, (144) 834. Royal Assent, (255) 1502. (9 Vic., cap. 99.)

-----Bill to incorporate Trustees of Toronto Hospital, presented and read, (135) 772. Ordered for second reading, (205) 1227. Motion for second reading, negatived, on division, (273) 1610.

-----Bill to authorize Sisters of Charity of General Hospital, Montreal (Grey Nuns), to sell certain property, presented and read, (184) 1054. Read second time; Referred, (207) 1236. Reported, (237) 1435. Engrossed, (240) 1442. Passed, (244) 1459. By the Council, (260) 1524. Royal Assent, (274) 1611. (9 Vic., cap. 92.)

-----Vide also, Insane.

HOUSES OF INDUSTRY:--Vide Toronto House Of Industry.

HUNTINGDON:--Vide Plank Roads.

HURON, COUNTY OF:--Vide Elections, Writs Issued During The Recess.

HURON DISTRICT:--Bill to attach certain territory to said District, presented and read, (199) 1170. Read second time; Committed; Considered; Reported; Engrossed, (243) 1449. Passed, (244) 1458-1459. By the Council, (260) 1524. Royal Assent, (274) 1610. (9 Vic., cap. 47.)
Vide also, Taxes.

I

ICE BRIDGES:--Petition of Piérre Vezina, and others, for an ice bridge at Three Rivers, (199) 1168, (208) 1243.

IMPORTS AND EXPORTS:--Statements respecting imports and exports of the Province of Canada, laid before the House, (292) 1748. Printed, (304) 1789. Vide also, Addresses, To His Excellency, (60.).

INDIANS:--Petition of Wishe Tegarehontie ((or Tegarihontie)), and others, Chiefs and Warriors, for Address to Her Majesty to continue their annual allowances, (10) 83, (16) 107. Referred, (33) 165-166. A Member added to Committee, (53) 297. Report, (100) 606-607. Committed, (100) 607. Motion for Petition to go into Committee, (137) 778. Considered,

(137) 780. Vide Addresses, To Her Majesty, (5.).

-----Petition of John Claus, and W. Claus, on certain surrender of Six Nations Indians, (76) 474, (84) 521.

-----Question concerning reimbursement of Mohawk Indians; Answer, 821.

INLAND BILLS OF EXCHANGE:--Bill to amend the Law regulating the same, presented and read, (101) 609. Read second time; Referred, (180) 1041. Report, (255) 1503. Vide below.

-----Bill to amend the Law regulating the same, presented and read, (255) 1503.

INSANE:--Petition of Rev. P. H. Harkin, and others, for adequate provision for the insane of this Province, (58) 340, (71) 453.

-----Report of insane and foundlings in General Hospital (Soeurs Grises), Montreal; Also report of Commissioners on insane and invalids, Quebec, (67) 380.

-----Vide also Court Of Chancery; Lunatics; Toronto, Lunatic Asylum.

INSTITUTIONS:--Vide Annual Visitation.

INSURANCE COMPANIES:--Statements to be laid before the House, (42) 241. Presented, (88) 539.

INTERNATIONAL:--Vide Suspension Bridge.

J

JACQUES CARTIER BRIDGE:--Vide Board Of Works.

JACQUES, ADOLPHUS:--Petition of, for relief, (99) 604, (112) 713. Referred, (113) 717. Vide Teed, Mrs. Eleanor. Report, (340) 1931.

JESUITS:--Petition of Archbishop of Quebec, and the Rt. Rev. the Catholic Bishops of Montreal, and other Bishops, that the property of late order of Jesuits be placed under their control for education and other purposes, (207) 1242, (218) 1314. Printed, (221) 1325. Vide Supply.

-----Bill to appropriate revenues arising from Jesuits' Estates, for the year 1846. Notice of Motion, 1593. Bill presented and read, (286) 1678. Read second time; Engrossed, (308) 1803. Passed, (309) 1811-1812. By the Council, (330) 1897. Royal Assent, (346) 1958. (9 Vic., cap. 59.)

JEWELL, EBENEZER:--Petition of, for grant of land for services during the late war, (36) 211, (46) 260.

JEWS:--Petition of William Benjamin, and others, Portuguese congregation of Israelites, for Act of Incorporation, (104) 644, (113) 714.

-----Bill to amend Act relating to, presented and read, (135) 771-772. Read second time; Referred, (184) 1055. Reported, (219) 1315. Committed, (221) 1324. Considered; Reported; Engrossed, (314) 1827-1828. Passed, (315) 1847. By the Council, (338) 1925. Royal Assent, (345) 1955. (9 Vic., cap. 96.)

JOHNSTON, JAMES:--Vacates his seat, (242) 1445-1446.

JOURNALS:--Read. Vide Niagara District; Reid, John, And Robert Shepherd.

-----Complete set of JOURNALS and APPENDIXES, since the Union, to be transmitted to the Board of Trade, Montreal; Also, that from henceforth the Judges of Queen's Bench be furnished with a copy of JOURNAL and APPENDIX, (339) 1927.

JUDICATURE:--Vide Administration Of Justice.

JUDICIAL DISTRICT OF OTTAWA:--Vide Ottawa County.

JURIES:--House resolves to go into Committee to consider of certain Resolutions to extend the right of trial by jury in Upper Canada, (48) 269-270. Considered, (48) 270-271. Order of the day postponed, (66) 371. Considered, (148) 850-851. Resolution reported and agreed to, (148) 851. Vide below. Petition of Narcisse Duchesnay, and others, for indemnity to jurors, (156) 897, (163) 946.

-----Question concerning Ministry's intention to introduce a Jury Bill; Answer, 934.

-----Bill to facilitate the summoning of jurors in Lower Canada, presented and read, (214) 1278. Read second time; Committed, (314) 1828.

-----Bill to provide for indemnity to petit jurors at certain Courts in Lower Canada, presented and read, (240) 1440.

-----Vide Administration Of Justice.

K

KAMOURASKA AND RIMOUSKI:--Vide Addresses, To His Excellency, (67.); Rimouski And Kamouraska.

KENT COUNTY:--Petition of John G. Weir, and others, that the said County be made a District, (59) 341, (71) 452. Referred, (72) 456.

KING'S COLLEGE:--Vide Universities.

KINGSTON:--Petition of the Ven. George O'Kill Stuart, L. L. D., and others, against including Lot 24 within the limits of said Town, (82) 514, (94) 582.

-----Bill to incorporate the Town of Kingston as a City, presented and read, (65) 365. Read second time, (149) 853-854. Committed, (149) 854. Considered, (189) 1098-1105, (197-198) 1156-1157. Reported; Engrossed, (202) 1203. Passed, (202) 1212. By the Council, with amendments, (235) 1413. Agreed to, (240-241) 1442-1443. Royal Assent, (254) 1500. (9 Vic., cap. 75.)

KINGSTON AND OTTAWA ROAD:--Vide Speech.

KINGSTON AND PRESCOTT RAILROAD:--Vide Railroad, Kingston And Prescott.

KITLEY TOWNSHIP:--Petition of Robert Ferguson, and others, for establishment of a post office in said Township, (139) 789, (151) 864. Referred, (151) 864-865. Vide Post Office Department.

L

LA BAIE DU FEBVRE:--Vide Expiring Laws.

LACHINE CANAL:--Question concerning opening of Lachine Canal, 250-251. Answer, 251.

LAKE ST. PETER:--Vide Addresses, To His Excellency, (51, 55, 97.); Board Of Works.

LAKE SUPERIOR AND LAKE HURON CANAL:--Petition of W. B. Jarvis, and others, for Act of Incorporation, (189) 1115, (203) 1213. Standing Rule dispensed, (203) 1213.

LALIBERTE, LT. JEAN BAPTISTE:--Petition of, complaining of injustice done him by the Adj. Gen. of Militia, (139) 788, (151) 864. Referred to Committee on Militia Bill, (234) 1408. Vide Militia.

LANDING WAITERS:--Vide Addresses, To His Excellency, (101.).

LANDS:--Petition of Municipal Council, District of Niagara, for disposal of wild lands, to support common schools, (36) 210, (45) 259. Petition of John Burwell, for a grant of land to the volunteers, during late insurrection, (82) 515, (94) 583. Petition of Sir James Stuart, and Nicholas Austin, respecting partition of certain lands, (45) 257, (55) 306. Referred, (203) 1214. Vide below.

-----House resolves to go into Committee to consider of amending Act 4 and 5 Vic., cap. 100, commonly called the "Land Act"; Considered, (187) 1078. Resolution reported and agreed to, (187) 1078-1079.

-----Bill to extend provisions of thirteenth section of Act for disposal of public lands, presented and read, (52) 282-283. Ordered for second reading, (149) 852-853. Order for second reading, read, (205) 1219-1220. Motion for second reading, (205) 1220-1225. Withdrawn Motion; Ordered for second reading, (205) 1225. Ordered for second reading, (273) 1609, (296) 1757. Read second time; Committed; Considered; Reported; Engrossed, (338) 1923-1924. Passed, (339) 1927.

-----Motion to refer Bill to amend the Public Lands Act to a Committee of the whole, 1516-1518. Withdrawn Motion, 1518.

-----Bill to facilitate partition of lands, &c., in certain cases in Lower Canada, from Legislative Council; Read first time, (106) 649. Ordered for second reading, (110) 659. Read second time; Further Consideration postponed, (180) 1042. Referred, (198) 1163. Petition of Sir James Stuart, and Nicholas Austin; of Osgood Peasley, and others, also referred, (203) 1214. Reported, (237-240) 1436-1440. Committed, (240) 1440. Order to consider, negated, on division, (342) 1936.

-----Bill to amend the Law relating to the disposal of public lands, presented and read, (187) 1079. Read second time; Committed, (313) 1824. Considered, (313) 1824-1826. Motion to read Bill, negated, on division, (337) 1922.

-----Bill to give effect to letters patent for land, in certain cases, presented and read, (231) 1389.

-----Vide also, Baptists; Bowerman, Stephen; Brockville Town Lot; Conveyance Of Real Property; Crown Lands Department; District Schools; Felton, John; Gemmell, John R.; Hill, Charles; Hoofstetter, Philip ((or Phillip)), And Others; Jewell, Ebenezer; M'Kenzie, John D., And Others; Odd Fellows; Perth Town; Quimby, John M., And Others; Real

Estate; Vanzandt, Jacob L., And Juliet Vanzandt.

LANE, MRS. LUCINDA:--Petition of, for a pension, (93) 579, (105) 646.

LANGEVIN, JEAN:--Petition of, for arrears of pay, as Clerk to Municipal Council, Quebec, (213) 1275, (218) 1314.

LAPRAIRIE DE LA MADELEINE:--Vide Expiring Laws.

LA RIVIERE AUX OUTARDES:--Petition of Rev. L. A. Bourret, and others, for depot of provision, &c., (36) 211, (46) 259.

LAROCHE, FRANCOIS:--Petition of, to be indemnified as Clerk of Division Court, in District of Quebec, (4) 11, (16) 105. Referred, (18) 111.

LAROCHELLE, SIMEON:--Petition of, for aid to construct a self-acting battery for cannon, (54) 304, (62) 348-349.

LASSISERAYE, CHARLES HUBERT:--Petition of, for arrears of salary as school teacher, (53) 302, (61) 347.

L'ASSOMPTION:--Vide Colleges.

LAW SOCIETY, TORONTO:--Vide Osgoode Hall; Supply.

LEATHER:--Vide Duties.

LEGISLATIVE ASSEMBLY:--Attend His Excellency at the Council Chamber, (1) 1, (87-88) 538, (254) 1499-1500, (273) 1610, (344) 1954.

-----Choose Speaker, pro tem, (83) 517-518.

-----Wait upon His Excellency with Addresses, (8) 79, (33) 165, (175) 1025.

-----Names taken on division: Affirmative, (6) 62-63, (32) 157-158, (52-53) 289, (64) 361, (75) 468, (97) 590, (98) 596, (104) 618-619, (105) 645, (141) 798, (146) 841-842, 842, 843-844, (153) 882, (157) 906-907, 908, (159) 912-913, (167) 966-967, (178-179) 1037, (179) 1039-1040, (179-180) 1040, (181) 1045, (182) 1047, (188) 1094, (200) 1198-1199, (214-215) 1286, (215) 1286, (224) 1354, (234-235) 1412, (257) 1507, (265) 1569, (267) 1577, 1584, (272) 1606, (276) 1619, (285) 1676, (290) 1712, 1729, (311) 1816-1817, (314) 1827, (314-315) 1846, (321) 1868, (330) 1889, (331) 1900, (332) 1901, (333) 1908, (336) 1920, (337) 1922, (341) 1934, (341-342) 1935-1936, (342) 1936.

-----Names taken on division: Negative, (6) 28, (34) 186-187, (40-41) 230, (64) 361, (80) 498, (98) 598, (119-120) 733-734, (136-137) 777-778, (137) 778, 779, 780, (138) 786, (140) 796, (140-141) 797-798, (141) 798, (145) 837-838, (146) 843, (147-148) 847-848, 848, (152-153) 881, (156) 906, (160) 919, (188) 1093, (196) 1152, (198) 1161-1162, (200) 1181, (212) 1256-1257, (214) 1284-1285, (242) 1447, (257) 1508, (267-268) 1585, (273) 1607, (285) 1675-1676, 1676, (286) 1680, (302) 1776, (310) 1816, (311) 1817-1818, 1818, 1819, (312) 1821, (315) 1848, (321) 1867, (331) 1901, (334) 1912, (337) 1922, (342) 1938, (343) 1950.

-----Motion for adjournment, (14) 97, (33) 158, (70) 388, 437, (87) 531-533, ((149)) 855-856.

-----Motion for adjournment, negatived, (98) 597-598, (136) 777, (137)

778, 778-779, 779, 780, (232) 1389.

-----Adjourned for want of a Quorum, (92-93) 569, (226) 1361, (259) 1514-1515, (291) 1732, (305) 1790.

-----Adjourned to future days, (14) 97, (81) 508.

-----Adjourned to particular hours on future days, (33) 158, (171) 997, (250) 1477, (276) 1615, (279) 1635, (282) 1663, (287) 1698.

-----Adjourn till 11 o'clock, the remainder of the Session, (290) 1713.

-----Adjourned to particular hours on same day, (175) 1025, (252) 1499.

LEGISLATIVE COUNCIL, MESSAGES FROM:--With Bills of their own. Vide Bills, From Legislative Council.

-----Assenting to Bills of Assembly, without amendment, (80) 486, (89) 544, (113) 717, (144) 833-834, (151) 867, (169) 985, (184) 1053-1054, (196) 1153, (200) 1182, (205) 1226, (209) 1249-1250, (220) 1321, (227) 1378, (235) 1413, (250) 1477-1478, (258) 1511-1512, (260) 1524, (266-267) 1574, (290) 1730, (296) 1758, (308) 1804, (319) 1859, (330) 1897-1898, (338) 1925, (340) 1932, (344) 1952, 1953.

-----Assenting to Bills with amendments, (196) 1153, (200) 1182, (209) 1250, (215) 1287, (227) 1378, (235) 1413, (250) 1478, (258) 1512, (267) 1574, (274) 1612, (278) 1627, (287) 1684, (290) 1730, (297) 1759, (313) 1826, (319) 1859, (330) 1898, (338) 1926, (340) 1932-1933.

-----Assenting to amendments, made by the Assembly to their own Bill, (215) 1287.

-----Do not insist upon their amendments to Bills from Assembly, (250) 1478.

-----Assenting to amendments, made to their own amendments on Bills from the Assembly, (330) 1898.

-----Requesting evidence on Quebec Gas and Water Repeal Bill; Quebec Water Bill; and Quebec Gas Bill, (220) 1321-1322. Sent up, (227) 1369.

-----Requesting evidence on Gaspé Marriage Bill, (281) 1644. Communicated by Message, (282-283) 1670.

-----Requesting concurrence to Address to His Excellency, to transmit Address to Her Majesty on boundary line, (296-297) 1758-1759. ~~Agreed to~~, (301) 1773.

-----Council agrees to Conference on amendments to Bytown Incorporation Bill, (303) 1785. Conference desired in Committee Room of Council; Concurred in, (331) 1899.

-----Requesting evidence, &c., on Address to Her Majesty in favour of Alexander M'Leod, (308) 1803. Communicated by Message, (310) 1814. Vide Legislative Council, Messages To.

-----For Conference on Notarial Profession Bill of Lower Canada, (338) 1926, (340) 1933. Members appointed, (341) 1933-1934. Council agrees to a Free Council, (344) 1952.

-----Acquainting the House when to attend His Excellency with Address on postage, (340) 1933.

LEGISLATIVE COUNCIL, MESSAGES TO:--Requesting the attendance of Hon. Thomas M'Kay, on Petition of Hamnett Pinhey, (48) 265-266. Leave granted, (52) 283-284.

-----Requesting the attendance of Hon. John Neilson, and Louis Massue, on Petition of Jean Baptiste Pagé, and others, (48) 266. Leave granted,

(52) 284.

- Requesting the attendance of Charles DeLéry, Clerk Assistant of Legislative Council, before Committee on records, &c., (74) 460. Leave granted, (80) 486.
 - Requesting concurrence to Resolution of Assembly, on Address to His Excellency respecting Magdalen Islands, (81) 503. Concurred in by Council, (106) 648. Address sent down, (106) 648-649. Concurred in by House, (135) 772-773. On delivering the Address, (144) 834.
 - Requesting evidence of Bill for relief of Juliet Vanzandt, (145) 838-839. Sent down, (205) 1226.
 - Requesting evidence on Bill to authorize devisees and Trustees of the will of late Hon. Charles Jones, to convey a certain Lot in Brockville, (166) 955-956. Sent down, (205) 1226.
 - Requesting attendance of John Fennings Taylor, Clerk Assistant of Legislative Council, before Committee on records, (197) 1156. Leave granted, (200) 1182.
 - For Conference on Bill to establish and maintain common schools in Upper Canada, (236) 1422. Agreed to; Managers appointed, (241) 1444.
 - Requesting concurrence to Address to Her Majesty on New Brunswick boundary line, (283) 1670. Concurred in, (296) 1758. Vide Addresses, To Her Majesty, (12.).
 - Requesting concurrence to Address to Her Majesty on Alexander M'Leod, (298) 1766. Vide Legislative Council, Messages From.
 - Requesting concurrence to Address to Her Majesty on the subject of postage and the transmission of mails, (318) 1855. Concurrence, (330) 1898. With Address to His Excellency to transmit, (330-331) 1898-1899. Concurred, (334) 1909-1910. Vide Addresses, To Her Majesty, (15.).
 - Requesting Conference on Bills. Vide Bytown; Notarial.
- LEMONDE, JOSEPH:--Petition of, on his removal as a Messenger of the Legislative Assembly, (36) 211, (46) 261.
- LESLIE, ANTHONY:--Petition of, for indemnity for voting at an election in ignorance of the Law, (53) 302, (61) 346. Referred, (62) 349. Report, (87) 528. Vide below.
- Bill for his relief, presented and read, (87) 529. Read second time; Engrossed, (155) 888. Passed, (158) 910. By the Council, (184) 1054. Royal Assent, (255) 1502. (9 Vic., cap. 101.)
- LES RELIGIEUSES DE NOTRE DAME DU BON PASTEUR:--Petition of Very Rev. Hyacinthe Hudon, for Act of Incorporation, (44) 256, (54) 304. Referred, (55) 307. Report, (64) 362, (64-65) 362-363. Vide below.
- Bill to incorporate "Les Dames Religieuses de Notre Dame du Bon Pasteur", presented and read, (120) 734. Read second time; Committed; Considered; Reported; Engrossed, (181) 1043. Passed, (182) 1049. By the Council, (235) 1413. Royal Assent, (254) 1501. (9 Vic., cap. 91.)
- LETTERS PATENT:--Vide Cressé, Luc Michel; Lands.
- LEWIS, ISRAEL C. M.:--Petition of, for premium as inventor of a fire screen, (33) 165, (37) 213. Petition of, against offensive epithets to colored people, ((45)) 256-257.

LIBRARY:--State of the library, reported by Mr. Speaker, (9-10) 80-83.

-----Petition of Mayor and Corporation of Toronto, that duplicates of works in the library be deposited in the said City, (10) 84, (16) 107. Referred, (17) 111. Order of reference discharged, (41) 238. Vide below.

-----Standing Committee appointed to assist Mr. Speaker in the direction of the library, (32) 147. Matters referred: Petition of Mayor and Corporation of Toronto, (41) 238. Report, (265) 1568-1569. House resolves to go into Committee on the report, (310) 1814. Considered, (310) 1814-1816. To sit again on Friday, negatived, on division; To sit again in six months, negatived, by casting vote of Speaker, (310) 1816. To sit again in three months, carried, on division, (310-311) 1816-1817.

-----Vide also Quebec Library Association.

LIGHT HOUSES:--Vide Addresses, To His Excellency, (35.); Governor General, Messages From His Excellency, (22.); St. Lawrence; Supply; Wallace, James.

LIMITED PARTNERSHIPS:--Vide Questions Negatived, (36.)

LIMITS:--Vide Bytown; Counties Limits.

LINDSAY, WILLIAM BURNS:--Vide Addresses, To His Excellency, (53, 90, 102.)

LITERARY:--Vide Quebec Literary And Historical Society.

LITTLE, TAYLOR, AND OTHERS:--Petition of, to be relieved from rent on Clergy Reserve Lands, (149) 861, (162) 943. Referred, (163) 946. Petition of John M. Quimby, and others, also referred, (164) 947.

LIVE STOCK:--Vide Addresses, To Her Majesty, (14.)

LOAN:--Vide Supply.

LODS ET VENTES, ABOLITION OF:--Vide Feudal Tenure.

LONDON DISTRICT:--Petition of John Wilson, complaining against the Judge of said District, and praying relief, (161) 942, (176) 1026. Vide below. Petition of L. Lawrason, and others, the same, (189) 1115, (202-203) 1213. Of William Hillis, and others, the same, (202) 1212, (213) 1276. Latter Petition referred, (220) 1317-1321. Member added to Committee, (266) 1572. Petition of John Wilson, also referred, (234) 1408. Member added to Committee, (277) 1622. Report, (310) 1813.

L'ORIGNAL ROAD:--Vide Addresses, To His Excellency, (82, 84.); Cornwall, Town.

LOSSES:--Vide Addresses, To His Excellency, (41, 59, 63, 86.); Claims For Losses; Governor General, Messages From His Excellency, (23.); Rebellion Losses.

LUMBER:--Petition of Roderick M'Gillis, and others, of Quebec, for relief; Also, a Petition from the same, to be incorporated as "The Quebec Cullers Benevolent Society", (10) 84, (17) 109. Latter Petition referred, (33) 166. Report, (119) 731. Vide below. Petition of William Rogerson, and others, that the salary of Supervisors of cullers be increased,

(33) 165, (37) 213. Referred, (47) 262. Also referred, Benjamin Clark, and others, (62) 349. Of John Sharples, the same, (36) 211, (46) 261. Of Benjamin Clark ((or Clarke)), and others, the same, (49) 276-277, (60) 344. Referred, (62) 349. Vide above. Report, (86) 527. Committed, (87) 527. Considered, (98) 596-597. Two Resolutions reported and agreed to, on division, (103-104) 618-619. Vide below. Petition of Charles Cazeau, and others, for amendment in the Lumber Act, (53) 302, (61) 346. Petition of Rev. F. X. De L'âge ((or Delâge)), and others, against granting licenses to cut wood on borders of the Saguenay, (93) 579, (105) 646.

-----Accounts of Supervisors of cullers, to 31 Dec. 1845, received, (88) 539. Printed, (92) 560.

-----House resolves to go into Committee to consider of preventing sale of timber on public lands, (221) 1323-1324. Considered, (314) 1828-1832. No Report, (314) 1832.

-----Debate on Petition from Quebec Supervisor of cullers concerning increase of salary, 571-572.

-----Bill to increase the salary of Supervisors of cullers, presented and read, (104) 619. Read second time; Committed; Considered, (167) 968. Reported; Engrossed, (174) 1006. Passed, (175-176) 1026. By the Council, (200) 1182. Royal Assent, (255) 1501. (9 Vic., cap. 16.)

-----Bill to incorporate the Quebec Culler's Benevolent Society, presented and read, (119) 731. Read second time; Referred, (181) 1044.

-----Vide also, Addresses, To His Excellency, (27, 48.); Mill Dams.

LUNATICS:--Vide Addresses, To His Excellency, (78.); Court of Chancery; Governor General, Messages From His Excellency, (21.); Insane; Rees, William; Toronto Lunatic Asylum.

M

MACADAMIZED ROADS:--Petition of John Urquhart, and others, to be incorporated as a company to construct a plank or macadamized road from Oakville, through the Townships of Trafalgar, Esquensing and Erin, (4) 10, (15) 104. Vide below.

-----Petition of E. Guy, and others, for macadamizing the Lower Lachine Road, (4) 10, (15) 105. Referred, (17) 110. Petition of Toussaint Méloche, (17) 110. Petition of M. F. Valois, and others, (41) 236. Petition of William Hannah, and others, (50) 279. Petition of Edward M'Knaughton, and others, also referred, (62) 349. Member added to Committee, (62) 349. Petition of Hon. Gabriel Roy, and others, also referred, (72) 454. Also, accounts of Trustees Montreal Turnpike Roads, (81) 498. Committee to report from time to time, (92) 560. Petitions of William Evans, and others; of Hon. R. U. Harwood, and others, referred, (95) 583-584. Instruction, (95) 584. Petition of John Dillon, and others, referred, (100) 606. A Member added to Committee, (103) 615. First report, (113-114) 717-718. Committed, (114) 718. Report and evidence, printed, (114) 718. Petition of N. B. Desmarteau, referred, (164) 947. Also Petition of J. T. Brondgeest, and others, (168) 983. Considered, (205-206) 1227. Report certain Resolutions, (211-212) 1255-1256. Motion for concurrence, (212) 1256. Amendment

to Motion, negatived, on division, (212) 1256-1257. Main Motion agreed to, (212) 1257. Vide Turnpike Roads. Second report, (279) 1639.

-----Petition of Municipal Council, District of Victoria, for macadamizing the road from Madoc to Madawaska, (10) 83, (16) 106-107. Referred, (73) 457. Petition of Municipal Council, District of Niagara, to continue the Queenston and Grimsby Macadamized Road, through the Village of Jordan, (33) 165, (37) 214. Referred, (38) 215. Petition of George Ball, and others, against, (53) 302, (61) 346. Referred to same Committee, (63) 351. Petition of D. E. Boulton, and others, to be incorporated to construct a road from Cobourg to Port Hope, (49) 276, (60) 343-344. Referred, (84) 521. Report, (110) 658. Petition of Ferdinand Murphy, and others, to macadamize road from Valcartier to Quebec, (142) 827, (158) 911. Referred, (158) 912. Vide Turnpike Roads. Petition of Hon. Henry Black, and others, to macadamize "L'Ornière Road", (49) 277, (60) 344. Referred, (62) 349. Vide Turnpike Roads. Petition of Caleb Hopkins, and others; of Joseph Ireland, and others, to continue macadamized road from Dundas to Toronto, (67) 380, (76) 476. Referred, (79) 482. Report, (165) 950-951. Petition of G. L. Perry, and others, to macadamize the road from Montreal to Sault au Récollet, (168) 982, (182) 1050.

-----Bill to incorporate Trafalgar, Esquesing and Erin Road Company, presented and read, (32) 148. Ordered for second reading, (40) 225. Read second time; Referred, (53) 296. Reported, (87) 528. Committed, (87) 529. Considered, (155) 888. Reported; Engrossed, (161) 921. Passed, (162) 943. By the Council, with amendments, (209) 1250. Agreed to, (210) 1252. Royal Assent, (254) 1500. (9 Vic., cap. 98.)

-----Bill to incorporate Etobicoke and Monro Road Company, presented and read, (166) 956. Read second time; Referred, (198) 1162. Reported, (230-231) 1387. Committed, (231) 1387. Considered, (304) 1789-1790. Reported, (307) 1799-1800. Engrossed, (307) 1800. Passed, (309) 1811. By the Council, with an amendment, (338) 1926. Agreed to, (339) 1929. Royal Assent, (345) 1955. (9 Vic., cap. 83.)

-----Vide also, Addresses, To His Excellency, (25.)

MACARA, JOHN:--Petition of, to be admitted to practise as Attorney and Solicitor in Upper Canada, (49) 276, (59) 342. Referred, (63) 351. Report, (73) 458. Vide below.

-----Bill for relief of John Macara, presented and read, (73) 458-459. Read second time; Engrossed, (154) 887. Passed, (158) 910. By the Council, with amendments, (196) 1153. Agreed to, 1155-1156. Royal Assent, (254) 1501. (9 Vic., cap. 102.)

MACNAB, REV. A.:--Vide Education And Schools.

MACNAB, SIR ALLAN NAPIER:--Vide Addresses, To His Excellency, (43.); Speaker.

MAGDALEN ISLANDS:--Petition of Joseph Cormier, and others, that said Islands be not attached to Island of Prince Edward, (3) 6, (4) 11. Referred, (33) 166-167. Report, (68) 383. Committed, (73) 460. Considered, (81) 502-503. Resolution reported and agreed to; Communicated to Legislative Council for concurrence, (81) 503. Vide Addresses, To His Excellency, (42.)

-----Vide also, Municipalities.

MAGISTRATES APPOINTMENTS:--Bill from Legislative Council, to appoint Magistrates in remote parts of this Province, sent down, (258) 1511. Read first time, (258) 1512. Read second time, (290) 1730. Passed, (297) 1763. Royal Assent, (345) 1956. (9 Vic., cap. 41.)

MAILS, TRANSMISSION OF:--Vide Addresses, To Her Majesty, (1.)

MANUFACTURES:--Petition of Patrick Wallace, and others, to be incorporated as a Company to manufacture paper at Cobourg, (58) 339, (70) 450. Referred, (84) 521. Report, (100) 607-608. Vide below.

-----Affairs of Sherbrooke Cotton Factory, laid before the House, (49) 276.

-----Bill to incorporate the Cobourg Manufacturing Company, presented and read, (135) 772. Read second time, on division; Referred, (181) 1045. Reported, (209) 1246. Committed, (209) 1246. Considered, (209) 1246-1248, (243) 1451-1452. Reported; Engrossed, (243) 1452. Passed, (244) 1460. By the Council, with amendments, (267) 1574. Agreed to, (276) 1615. Royal Assent, (345) 1954. (9 Vic., cap. 78.)

MARIA TOWN:--Vide Addresses, To His Excellency, (72.)

MARRIAGE LICENSE FUND:--Vide Rebellion Losses.

MARRIAGES:--Petition of Isaac Law, and others, to extend the privileges relating to marriages and baptisms to the Associate Presbyterian Synod of North America, (3) 10, (15) 104. Referred, (46) 261. Report, (68) 383. Vide below.

-----Bill to make valid certain informal marriages in the District of Gaspé. Notice of Motion, 8. Bill, presented and read, (5) 13-14. Ordered for second reading, (40) 223. Read second time, (66) 367-368. Referred, (66) 368. Reported; Committed; Printed, (183) 1051. Considered, (236) 1423. Reported, (242) 1446-1447. Amendment, negatived, on division; Bill to be engrossed, (242) 1447. Passed, (244) 1459. Evidence on Bill required by Council, (281) 1644. Communicated by Message, (282-283) 1670. Petitions against the Bill: Of Rev. J. L. Alain, and others; of Isaac Hilgrove Gosset, (82) 514, (94) 582. Referred, (95) 585. Vide Municipalities. Petition of Benjamin Coffin, and others, on registering marriages in District of Gaspé, (58) 340, (71) 452. Of John S. Moriarty, and others, the same, (58) 340, (71) 452. Referred, (72) 456. Vide Magdalen Islands.

-----Bill to enable Ministers of the Associate Presbyterians to keep registers of marriages, &c., presented and read, (68) 383-384. Read second time; Committed; Considered, (149) 854. Reported; Engrossed, (152) 868-869. Passed, (158) 910. By the Council, with amendments, (258) 1512. Agreed to, (278) 1626-1627. Royal Assent, (345) 1954. (9 Vic., cap. 54.)

-----Bill from Legislative Council to extend provisions of Act of Upper Canada, relating to marriages; Read first time, (274) 1612. Second reading, negatived, on division, (343) 1949-1950.

-----Vide Christians; Registration; Ritchie, Mrs. Louise Hélène.

MARRIED WOMEN:--Bill to provide for relief of, in certain cases, presented

and read, (135) 771.

MASTER AND SERVANT:--Bill to regulate the duties between master and servant. Notice of Motion, 933. Bill presented and read, (166) 954-955. Read second time; Referred, (226) 1360. Reported; Committed, (288) 1703.

MASTER BUILDERS:--Petition of T. Appleton, and others, for removal of a French Law, respecting the stability of their work, (82) 513, (93) 580. Referred, (106) 647.

MATHISON, JOHN, AND JAMES GRANT:--Petition of, to purchase a Clergy Reserve Lot, (111) 711, (142) 829.

MATTHEWS, PETER:--Bill to reverse attainder of, presented and read, (231) 1388.

-----Bill from Legislative Council, to reverse attainder of Peter Matthews, brought down, (266) 1573-1574. Read first time; Ordered for second reading, (267) 1574. Read second time, (290) 1729. Passed, (290) 1730. Royal Assent, (345) 1956. (9 Vic., cap. 105.)

MAYOR'S COURT:--Vide Quebec City.

M'CARTHY, MICHAEL:--Petition of, to be employed as a night watch, to guard the Parliament Buildings during the recess, (182) 1049, (190) 1116. Referred, (199) 1168. Report, (300) 1770-1771.

MCGILL COLLEGE:--Petition of Rev. Francis J. Lundy, for relief, being forcibly dismissed from McGill College, (58) 340, (71) 453. Referred; Member added to Committee, (84) 521.

-----Vide also, Addresses, To His Excellency, (45.); Universities.

MCGREGOR, MR.:--Vide Addresses, To His Excellency, (96.)

M'CORD, W. K.:--Vide District Of Quebec Circuit Judge.

M'DERMID, DONALD:--Petition of, for arrears of pension, (36) 211, (46) 260.

MECHANICS' INSTITUTE:--Vide Montreal Mechanics' Institute; Toronto Mechanics' Institute.

MEDICINE AND SURGERY:--Petition of John King, M.D., and George R. Grasett, L.M., for establishment of a College of Physicians and Surgeons in Upper Canada, (82) 513-514, (94) 581. Referred, (183) 1050. Report, (208) 1244. Vide below. Petition of Andrew Austin, and others, to organize the medical profession in this Province, (82) 514, (94) 582. Petition of Francis C. T. Arnoldi, M.D., and others, for equal claims with Faculty of Medicine in McGill College, (104) 644, (113) 714. Petition of E. Henwood, for copy of Bills relating to medicine, &c., (111) 711, (142) 828. Referred, (186) 1076. Vide below. Petition of D. Campbell, M.D., and others, for establishment of District Medical Societies, and Provincial Medical Board, (189) 1115, (203) 1213.

-----Bill to regulate medicine and surgery, presented and read, (80) 485-486. Read second time, (154) 887-888. Referred, (154-155) 888. Petition of John Reid, and others, against the Bill, (162) 942, (176) 1027. Also referred, (183) 1050. Also, E. Henwood, (186) 1076.

-----Bill to incorporate a College of Physicians and Surgeons in Upper

Canada, presented and read, (208) 1244. Petition of William R. Beaumont, F.R.C.S. English, and others, against the Bill, (282) 1669, (291) 1737.

MEMBERS:--Take their oath and their seats, (1-2) 2, (14) 102.

-----Added to Committees, (53) 297, (62) 349, (79) 483, (81) 499, (84) 521, (86) 527, (97) 590, (103) 615, 617, (120) 734, (152) 868, (166) 955, (184) 1054, (205) 1219, (210) 1250, (266) 1572, (272) 1604, (277) 1622.

-----Leave of absence to, (90) 547, (91) 551, (97) 591, (110) 659, (152) 868, (184) 1054, (202) 1202, (208) 1243, (214) 1277-1278, (217) 1293, (218) 1293, (253) 1499, (266) 1572.

-----To attend in their places, (5) 13, (11) 85, (20) 118, (34) 167, (38) 216, (42) 238, (47) 262, (51) 281, (140) 790, (169) 984, (176) 1028, (183) 1051, (195) 1150, (266) 1570, (271) 1602.

-----Attend in their places, (8) 79, (32) 151-152, (35) 197-198, 198, 200, (178) 1032-1033, (272) 1605, (278-279) 1627.

-----Do not attend in their places, (9) 80, (32) 152, (36) 200, (40) 222, (43) 245, (49) 271, (52) 287, (57) 316.

-----Excused for non-attendance on Committees, (8) 79-80, (8-9) 80, (32) 152, (35) 197, 198-200, (35-36) 200, (178) 1033, (184) 1054, (187-188) 1080, (202) 1202-1203, (272) 1605, (279) 1627-1628.

-----Excused from serving on Committees, (97) 590, (103) 617.

-----Vacates seat, (242) 1445-1446.

-----Vide also, Sessional Allowance.

MENONISTS AND TUNKERS:--Petition of Rev. Jacob Gooft, and others, for reduction of amount exacted for non-performance of militia service, (44) 256, (55) 305.

MERCHANT SEAMEN:--Despatch on Address of last Session relative thereto, (22) 124-125. Despatch relating to desertion of merchant seamen, (28) 138-139. Both despatches, printed, (31) 147.

MESSAGES:--Vide Governor General, Messages From His Excellency; Legislative Council, Messages From; Legislative Council, Messages To.

METCALFE, LORD:--Despatch on congratulation of the Legislature on his elevation to the Peerage, (22) 125. Printed, (31) 147.

MILITIA:--Petition of F. B. Blanchard, and others, complaining of certain militia appointments, (111) 711, (142) 829. Vide below. Of Alexis Mousseau, and others, the same, (175) 1025, (186) 1075. Referred, (208) 1243-1244, (219) 1314. Vide below.

-----Bill for better regulation of militia of this Province, presented and read, (57) 314. Ordered for second reading, (75) 470. Read second time; Committed, (81) 508. Considered, (161) 921-930. Referred, (161) 930. Petition of Alexis Mousseau, and others, referred, (208) 1243-1244. F. B. Blanchard, and others, also referred, (219) 1314. Also M. Noel Tousignant, and Jean Baptiste Laliberté, (234) 1408. Reported; Committed, (245) 1462. Considered, (279) 1632-1635. Again Considered, (281-282) 1656-1662. Reported; Motion for concurrence; Amendment to Motion; Amendment agreed to; Main Motion, as amended, agreed to; Com-

mitted, (286) 1678. Considered, (286) 1678-1679. Amendments agreed to; Motion that Bill be engrossed, (286) 1679. Amendment to Motion, negatived, on division, (286) 1679-1681. Main Motion agreed to; Bill to be engrossed, (286) 1681. Passed, (287) 1702. By the Council, with amendments, (319) 1859. Agreed to, (321) 1866-1867. Royal Assent, (346) 1958. (9 Vic., cap. 28.)

-----Vide also, Addresses, To His Excellency, (57.); Fraser, Richard D.; Laliberté, Lieut. Jean Baptiste; Mennonists And Tunkers; Pensions; Questions Negatived, (15, 45.); Shaw, George; Tousignant, M. Noel.

MILITIA NOMINATIONS:--Vide Gugy, Bartholomew Conrad Augustus.

MILL DAMS:--Petition of William Tremain, and others, for owners of mill-dams to erect slides, (142) 827, (158) 911.

-----Bill to afford relief to owners of mill-dams in Upper Canada, presented and read, (171) 997.

-----Bill to require slides to mill-dams on River Moira, presented and read, (171) 997. Read second time; Committed; Considered, (226) 1360-1361. Reported, (232) 1389. Engrossed, (232) 1390. Passed, (232) 1406. By the Council, (250) 1477-1478. Royal Assent, (274) 1610. (9 Vic., cap. 52.)

MILLER, HENRY, AND OTHERS:--Petition of, to re-allow their pensions as commuted pensioners, (189) 1115, (203) 1213-1214.

MILLE ROCHES:--Vide Addresses, To His Excellency, (94.)

MINING:--Petition of Hon. Peter M'Gill, and others, to be incorporated to work copper and other mines in this Province, (49) 277, (60) 344. Referred, (105) 646. Report, (152) 867. Vide below. Petition of William B. Jarvis, and others, for Act of Incorporation to explore and search for mines of copper and other ores, (175) 1025, (186) 1075. Standing Rule dispensed, (186) 1075.

-----Bill to incorporate the British American Mining Company, presented and read, (166) 956. Withdrawn Bill, 1425-1428.

-----Bill to incorporate "The Upper Canadian Mining Company", presented and read, (195) 1150.

-----Vide Addresses, To His Excellency, (49.)

MISSISSIPPI RIVER:--Petition of James Johnston, and others, to appropriate the sum authorised for a branch of said River, (213) 1275, (219) 1314. Referred, (227) 1369.

MISSISQUOI DISTRICT:--Petition of Charles C. Cotton, and others, that the territorial division of said District be restored for judiciary purposes, (139) 788, (150) 863.

M'KAY, PETER, AND ROBERT:--Vide Addresses, To His Excellency, (94.)

M'KENZIE, JOHN D., AND OTHERS:--Petition of, for relief for being deprived of certain lands, (45) 257, (55) 306. Referred, (72) 456.

M'LENNAN, MRS. CATHERINE:--Petition of, for relief, (67) 381, (79) 482-483. Referred, (84) 521. Report, (300) 1770. Resolution, (332) 1902.

M'LEOD, ALEXANDER:--Petition of, for compensation for false imprisonment

in the United States, (218) 1313, (233) 1406. Referred, (237) 1434. Reported, (298) 1765. Vide Addresses, To Her Majesty, (15.); Legislative Council, Messages From; Legislative Council, Messages To.

-----Despatch in answer to Address of last Session respecting, (11-12) 91. Printed, (14) 96.

M'MICKING, G.:--Petition of Municipal Council, District of Niagara, in behalf of, respecting destruction of his steam mill, (297) 1763, (309) 1812.

MOHAWK INDIANS:--Vide Indians.

MONEY GRANT:--Motion to refer a Petition praying for money grant, 159-160.

MONTMORENCY, COUNTY OF:--Vide Registration.

MONTREAL AND KINGSTON RAILROAD:--Vide Railroad, Montreal And Kingston.

MONTREAL AND LACHINE RAILROAD:--Vide Railroad, Montreal And Lachine.

MONTREAL BOARD OF TRADE:--Vide Bankrupts; Duties; Journals; Usury.

MONTREAL CATHOLIC ORPHAN ASYLUM:--Petition of Mrs. M. A. F. Viger, and others, for aid, (44) 256, (54) 305.

MONTREAL CITY:--Petition of Thomas Molson, and others, for Act of Incorporation, (45) 257, (55) 306-307. Referred, (84) 521. Report, (100) 608. Petition of William Workman, and others, that votes for the Council be taken by ballot, (53) 302, (61) 346. Vide below. Petition of James Ferrier, Mayor, and others, for Act to declare election of Mayor, null and void, &c., (99) 604, (112) 713. Printed, (140) 793. Referred, on division, (159) 912-913. Report, (199) 1169. Petition of, Alexis Laframboise, and others, on certain elections in said City, (162) 942, (176) 1027. Referred, (176) 1027. Report, (340) 1931-1932. Petition of Montreal Gas Light Company, presented, (182) 1049. Standing Rule dispensed; Read, (186) 1076. Vide below.

-----Bill to incorporate "The Montreal Consumer's Gas Company", presented and read, (120) 735. Ordered for second reading, (166) 956, (184) 1054. Read second time, (206) 1227-1232. Referred, (206) 1232. Reported, (237) 1435. Committed, (240) 1441-1442. Petition of Montreal Gas Light Company, to be heard at the Bar against the Bill, (186) 1076. To be heard, (187) 1079. Counsel heard at Bar, (206) 1227-1229.

-----Bill to establish the vote by ballot on election of Councillors and Assessors, for the City of Montreal, presented and read, (166) 955. Ordered for second reading, (198) 1162. Read second time; Referred, (235) 1415-1421. With an instruction, on division, (235-236) 1421. Reported; Committed; Considered, (269) 1599. Reported; Engrossed, (270) 1599. Passed, (277) 1620. By the Council, with amendments, (290) 1730. Agreed to, (295) 1754. Royal Assent, (345) 1955. (9 Vic., cap. 43.)

-----Bill to amend the Laws incorporating the City, &c., presented and read, (199) 1169. Read second time; Committed, (242) 1448. Considered, (242-243) 1448-1449. Reported; Engrossed, (251) 1479. Passed, (251-252) 1494-1495. By the Council, (266) 1574. Royal Assent, (274) 1610. (9 Vic., cap. 21.)

-----Vide also, Agriculture; Building Societies; Hospitals; Police.

MONTREAL COURT HOUSE:--Question concerning rebuilding of Montreal Court House; Answer, 333.

-----House resolves to go into Committee to consider of adopting measures to rebuild the Court House in Montreal; Considered, (89) 543-544. Resolution reported and agreed to, (97) 591. Vide below.

-----Bill to provide for rebuilding the Court House in Montreal, presented and read, (97) 591. Read second time; Committed, (175) 1015. Considered, (257) 1509, (287) 1681-1684. No Report, (287) 1684. Vide Addres-
ses, To His Excellency, (69.)

MONTREAL HARBOUR:--Vide Governor General, Messages From His Excellency, (22.)

MONTREAL LADIES BENEVOLENT SOCIETY:--Petition of, for aid, (45) 257, (55) 307.

MONTREAL MECHANICS' INSTITUTE:--Statement of property held by said institute, (88) 539.

MONTREAL MUNICIPAL ELECTIONS:--Question concerning Ministry's intention to take steps for the prevention of violence and outrage at Municipal Elections in Montreal; Answer, 782.

MONTREAL PROTESTANT ORPHAN ASYLUM:--Petition of, for aid, (36) 210, (45) 258.

MONTREAL TRINITY HOUSE:--Vide Trinity Houses.

MONTREAL TURNPIKES:--Vide Turnpike Roads.

MORGAN, THOMAS:--Petition of, for adjustment of claims for erroneous survey, (70) 450, (84) 520. Referred, (85) 522.

MORIN, HON. ALLAN NAPIER:--Vide Speaker.

MUNICIPAL ELECTIONS:--Vide Montreal Municipal Elections.

MUNICIPALITIES:--On amendments to Municipal Council Act: Petition of Municipal Council, District of Victoria, (10) 83, (16) 106. Referred, (73) 457. Of Louis Joseph Laverrier, and others, (10) 84, (17) 108. Of Luc Michel Cressé, and others, Nicolet, (15) 103, (37) 213. Referred, (259) 1521. Of Joseph Hudon, and J. B. Martin, (49) 276, (59) 342. Of William M'Dougall, and others, Newcastle, (49) 277, (60) 344. Referred, (85) 523. Of P. P. Demaray, and Pierre Gamelin, Dorchester, (53) 302, (61) 346. Referred, (72) 455. Petition of Municipal Council, Hochelaga, for municipalities in the several concessions of the Parish of Montreal, (49) 277, (60) 344. Also Petition of Paschal Lachapelle, and others, for same, (59) 341, (71) 452. Hochelaga Petition referred, (63) 351. Petition of James Dickson, and others, that the Town of Three Rivers be formed into a separate municipality, (54) 304, (62) 349. Referred; A Member added to Committee, (79) 482. Report, (108) 653-654. Printed, (108) 654. Vide below.

-----Returns of debts and liabilities of municipalities of Lower Canada, laid before the House, (58) 339.

- Question concerning amendment of Municipal Law in Lower Canada;
Answer, 250.
- House resolves to go into Committee to consider of repealing and
amending the Lower Canada Municipal Law, (111) 659-660. Considered,
(111) 660-662. Resolution reported and agreed to, (135-136) 773.
Vide below.
- Question concerning Lower Canada Municipal Councils' liabilities;
Answer, 821.
- Bill to establish a Municipal Council in the Magdalen Islands.
Notice of Motion, 8. Bill presented and read, (5) 13. Ordered for
second reading, (40) 222-223. Read second time, (66) 366-367. Refer-
red with an Instruction, (66) 367. Reported; Committed, (96) 587.
Members discharged; Member added, (97) 590. Order of the Day postponed,
(136) 776-777. Considered; Reported; Engrossed, (167) 968. Passed,
(168) 982. By the Council, with amendments, (215) 1287. Agreed to,
(220) 1316-1317. Royal Assent, (254) 1500. (9 Vic., cap. 15.)
Subjects referred to Committee of whole on said Bill: Gaspé Marriage
Bill, (66) 367-368. Gaspé Municipalities Bill; Gaspé Administration
of Justice Bill, (66) 368. Also, Petition of Benjamin Coffin, and
others; of John S. Moriarty, and others, (72) 456. To report from
time to time; Member added to Committee; First report, (86) 527. Peti-
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- Bill relating to certain municipalities in Gaspé. Notice of Motion,
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- Bill to divide Municipality of Hochelaga into five municipalities,
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-----Vide Addresses, To His Excellency, (52, 100.); Attachment of Salaries; Cardinal, André Leroux; Defries, Robert; Dixon, William; Taxes.

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ORDNANCE DEPARTMENT:--Petition of Hamnett Pinhey, for passing of an Act to explain the Act 7 Vic., cap. 11, called the Ordnance Vesting Act, (14) 103, (37) 212. Referred, (38) 214. Vide Legislative Council, Messages To. Report, (333) 1908. Petition of Edward Mallock ((or Malloch)), for investigation of complaints against Ordnance Department at Bytown, (149) 861, (162) 943-944. Petition of Mrs. Elizabeth M'Givern, for relief from Ordnance Department, (276) 1618, (282) 1669. Petition of N. Sparks, and others, for restoration of certain lands taken possession of by Ordnance Department, (218) 1313, (233) 1407. Referred, (233) 1407-1408.

-----Bill to explain Ordnance Vesting Act, presented and read, (250) 1473. Read second time, on division; Engrossed, (342) 1936. Passed, (342) 1936-1937. By the Council, (344) 1953. Royal Assent, (345) 1956. (9 Vic., cap. 42.)

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OSGOODE HALL:--Message with correspondence relative to accommodation therein, for Superior Courts of Law in Upper Canada, (215-217) 1288-1292. Referred, (232) 1389. Vide below. Vide also, Supply.

-----Bill to provide for permanent accommodation of the Superior Courts of Law and Equity in Upper Canada, presented and read, (288-289) 1705. Read second time; Engrossed, (307) 1800. Passed, (309) 1811. By the Council, (330) 1897. Royal Assent, (345) 1955. (9 Vic., cap. 33.)

OSHAWA PORT OF ENTRY:--Question concerning the Ministry's intention to make Oshawa a port of entry; Answer, 571.

OTTAWA COUNTY:--Petition of John Egan, and others, that the said County be set apart as a separate District, (41) 235, (50) 279. Referred, (51) 280.

-----Question concerning the formation of a separate judicial district for the Ottawa County; Answer, 332.

OWEN, OLIVER, AND JOSEPH SIFTON:--Petition of, for relief against the Board of Works, (54) 304, (62) 349.

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PARISHES, CHURCHES, &C.:--Bill to explain and amend an Act, concerning

erection of, presented and read, (281) 1642-1643. Motion for second reading, (342) 1937. Amendment, negatived, on division, (342) 1937-1938.

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PARTITION OF LANDS:--Vide Lands.

PARTNERSHIPS:--Motion to present a Bill for formation of limited partnerships, Upper Canada, negatived, on division, (250) 1473-1474.

PATENTS:--Vide Beecher, Isaac.

PAYNE, CHARLES:--Vide Quebec Fires.

PENITENTIARY:--Annual report of, for 1845, laid before the House, (42) 244.

-----Bill to consolidate and amend the Laws relating to the Provincial Penitentiary, presented and read, (42) 241. Ordered for second reading, (58) 317-318. Read second time; Committed, (81) 499. Considered, (161) 930. Reported, (166) 956. Engrossed, (166) 957. Passed, (168) 982-983. By the Council, with amendments, (196) 1153. Agreed to, (196-197) 1153-1154. Royal Assent, (254) 1500. (9 Vic., cap. 4.)

PENSIONS:--Vide Dixon, William; Flamme, Louise Armand Dite; Heavener ((Or Havener)), Mrs. M.; Lane, Mrs. Lucinda; M'Dermid, Donald; Miller, Henry, And Others; Seelye, James; Voller, James, And John Kay; Wallace, James.

PERTH TOWN:--Petition of Rev. M. M'Donagh, for grant of land to build Chapel, (67) 380, (76) 475. Petition of Rev. Michael Harris, A.M., and others, against the same, (156) 896, (163) 945.

PETERBOROUGH AND PORT HOPE RAILROAD:--Vide Railroad, Peterborough And Port Hope.

PETERBOROUGH TOWN:--Bill to incorporate said Town, presented and read, (135) 772. Ordered for second reading, discharged, (198) 1162.

-----Petition of Robert D. Rogers, and others, relative to the same, (207) 1242, (218) 1314.

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Adam, Rev. W., and others: vide Unitarians.

Adams, A., and others: vide Clergy Reserves.

Adams, A. A., and others: vide Roads And Bridges.

Adams, Hiram, And Abel S. Pope.

Adams, John, and others: vide Universities.

Adams, Peter, and others: vide Roads And Bridges.

Alain, Rev. J. L., and others: vide Marriages.

Alexander, James, and others: vide Pilots.

Allen, Charles, and others: vide Clergy Reserves.

Allen, Mrs. Mary.

Alley, Gerald, and others: vide Roads And Bridges.
 Allingham, Hugh, and others: vide Clergy Reserves.
 Allis, Thomas C., and others: vide Universities.
 Alton, George S., and others: vide Duties.
 Anderson, Rev. John, and others: vide Clergy Reserves.
 Anderson, Rev. Richard, and others: vide Clergy Reserves.
 Anderson, Rev. Richard, and others: vide Railroads.
 Andrews, James K., And Others.
 Appleton, T., and others: vide Master Builders.
 Armand (dite Flamme), Louise: vide Flamme, Louise Armand Dite.
 Armstrong, Rev. G. M., and others: vide Clergy Reserves.
 Armstrong, William, and others: vide Clergy Reserves.
 Arnold, G. W., and others: vide Brockville Town.
 Arnoldi, Francis C. T., M.D., and others: vide Medicine And Surgery.
 Ascot, Municipal Council, Municipality of: vide Education And Schools.
 Asselin, André Antoine.
 Atkins, Thomas: vide Weights And Measures.
 Atkinson, Rev. A. F., and others: vide Clergy Reserves.
 Austin, Andrew, and others: vide Medicine And Surgery.
 Austin, Nicholas: vide below, Stuart, Sir James, and Nicholas Austin.
 Austin, Phillip ((or Philip)), and James Covernton: vide Agriculture;
Universities.

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Baker, Charles, and others: vide Apprentices.
 Baker, Francis B., and others: vide Clergy Reserves.
 Baker, William, and others: vide Dunham Academy.
 Balfour, Rev. Andrew: vide Education And Schools.
 Balfour, Rev. Andrew, and others: vide Clergy Reserves.
 Ball, George, and others: vide Macadamized Roads.
 Barnardin, J. B., and others: vide Roads And Bridges.
 Barrett, William, and R. A. Symms: vide Education And Schools.
 Barthe, Joseph G.: vide Registration.
 Barwick, H. W., and others: vide Registration.
 Bates, William, and others: vide Post Office Department.
 Bathurst District, Municipal Council: vide Bathurst District; Universities.
 Beaumont, William R., F.R.C.S. English, and others: vide Medicine And
Surgery.
 Becket, W. W., and others: vide Roads And Bridges.
 Bedard, Capt. Joseph, and others: vide River St. Charles.
 Beecher, Isaac.
 Beisang, Lodiciarius, and others: vide Naturalization.
 Bell, Mrs. Julia.
 Bell, Lachlin ((or Lachlan)), and others: vide Railroad, Niagara And
Detroit Rivers Railroad.
 Bell, Rev. William: vide Universities.
 Belleville, President and Board of Police of: vide Belleville Town.
 Bellivau, Pierre, and others: vide Roads And Bridges.
 Bellows, John, and others: vide Clergy Reserves.
 Benjamin, William, and others: vide Jews.

Benoit, Joseph: vide below, Gendron, Simon, and Joseph Benoit.
 Berthier, Inhabitants of: vide Claims For Losses.
Bertrand, Alexis.
 Bertrand, Louis, and others: vide Rimouski County.
 Besse, P., and others: vide Winter Carriages And Roads.
 Besserer, Louis T., and others: vide Bytown.
 Bethune, Rev. John, and others: vide Railroads.
 Bethune, W. N., and others: vide Clergy Reserves.
 Billing, Andrew, and others: vide Clergy Reserves.
 Bird, James, and others: vide Roads And Bridges.
 Birdsall, Samuel, and others: vide Niagara District.
 Black, Hon. Henry, and others: vide Macadamized Roads.
 Blackburn, James, and others: vide Roads And Bridges.
 Blackburn, James, and others: vide Sydenham District.
 Blais, Jacques, and others: vide Trinity Houses.
 Blakey, Rev. Robert, and others: vide Clergy Reserves.
 Blanchard, E.: vide Vaccination.
 Blanchard, F. B., and others: vide Militia; Winter Carriages And Roads.
 Blanchard, W. G., and others: vide Circuit Courts.
 Blott, Jamas ((or James)), and others: vide Niagara District.
 Bochet, Amable, and others: vide below, Bouchet ((or Bochet)), Amable, and others.
 Bogart, John, and others: vide Universities.
 Bolton, Benjamin, and others: vide Roads And Bridges.
 Bond, Rev. William, and others: vide Clergy Reserves.
 Borrowdale, John, and others: vide Clergy Reserves.
 Boswell, G. M., and others: vide Railroad, Cobourg And Kingston.
 Bosworth, Newton, and others: vide Clergy Reserves; Universities.
 Bouchet ((or Bochet)), Amable, and others: vide Winter Carriages And Roads.
Bouchette, Mrs. Adélaide.
Bouchette, Joseph, And Others.
 Boudreau, Edouard: vide Vaccination.
 Boulton, D. E., and others: vide Macadamized Roads.
Bourassa, Hubert, Sr.
 Bourret, Rev. L. A., and others: vide La Rivière Aux Outardes.
Bowerman, Stephen.
Bowes, William.
 Bowron, William, and others: vide Plank Roads.
 Boyd, Rev. Robert, and others: vide Universities.
 Bozart, J., and others: vide Clergy Reserves.
 Bradley, Clements, and others: vide Surveying.
 Brondgeest, J. T., and others: vide Tolls.
 Bronte Harbour, President, Directors, and Co.: vide Harbours.
 Brooks, George W., and others: vide Roads And Bridges.
 Browitt, Joseph, and others: vide Harbours.
 Brown, George, and others: vide Roads And Bridges.
 Brown, L. G., and others: vide Claims For Losses.
 Bruce, Robert H., and others: vide Haldimand County.
 Bruneau, Jean Casimir: vide below, Power, William, and Jean Casimir
 Bruneau.

Buchan ((or Buckham)), David, and others: vide Clergy Reserves; Universities.
 Buchanan, Peter, and others: vide Railroad, Hamilton And Toronto.
 Buchner, Ozias, and others: vide Niagara District.
 Buckham, Andrew, and others: vide Universities.
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 Burtch, A., and others: vide Clergy Reserves.
 Burwell, H., and others: vide Building Societies.
 Burwell, John: vide Harbours; Lands; Railroad, Port Burwell And Port Sarnia.
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Caldwell, S. B., and others: vide Duties.
 Caldwell, William, and others: vide Roads And Bridges.
 Calvin, D. D., and others: vide Ferries.
 Cameron, Donald.
 Campbell, Archibald, and others: vide Quebec City; Roads And Bridges.
 Campbell, D., M.D., and others: vide Medicine And Surgery.
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 Caron, Rev. C. T., and others: vide Roads And Bridges.
 Carpenter, James, and others: vide Education And Schools.
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 Chadderton, Rev. W., and others: vide Clergy Reserves.
 Chalmers, William, and others: vide Niagara District.
 Chamberland, J. B. A., and others: vide Rimouski And Kamouraska.
 Chambers, George, and others: vide Clergy Reserves.
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 Church, Peter, and others: vide Clergy Reserves.
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 Classon, Josiah: vide Claims For Losses.
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 Cody, Charles H. ((or Charles G.)), and others: vide Clergy Reserves.

Coffin, Benjamin, and others: vide Marriages.
 Colville, Eden, M.P.P., and others: vide Roads And Bridges.
 Coleman, Dilly, and others: vide Niagara District.
 Comins, James H.
 Commercial Bank, President, Directors, & Co. of: vide Banks.
 Connell, Rev. David, and others: vide Clergy Reserves.
 Cook, Rev. John, D. D., and others: vide Education And Schools.
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 Cormier, Joseph, and others: vide Magdalen Island.
 Cornwall, President and Board of Police of: vide Cornwall Town.
 Côté, Rev. J. B., and others: vide Roads And Bridges.
 Cotter, George S., and others: vide Clergy Reserves.
 Cotton, Charles C., and others: vide Missisquoi District.
 Couillard, Hon. Antoine Gaspard.
 Couillard, Hon. Antoine Gaspard, and others: vide Game.
 Coulthard, Christopher, and others: vide Roads And Bridges.
 Coutts, David, and others: vide Clergy Reserves.
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 Darling, W. Stewart, and others: vide Clergy Reserves.
 Davidson, H., and others: vide Clergy Reserves.
 Dawes, Rev. William, and others: vide Clergy Reserves.
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 Deacon, Rev. Job, and others: vide Clergy Reserves; Education And Schools.
 Dean, James, and others: vide Quebec Forwarding Company.
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 Demers, Julien, and others: vide Registration.
 Dempsey, John W.
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 Desbarats, E., and others: vide Turnpike Roads.
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 Destroismaisons, Rev. Thomas, and others: vide Rimouski And Kamouraska.
 De Veaux, Samuel, and others: vide Suspension Bridge.
 Devenish, Timothy, and others: vide Universities.
 Dick, Rev. William: vide Clergy Reserves; Universities.
 Dickson, James, and others: vide Municipalities.
 Dickson, Walter H., and others: vide Fish And Fisheries.
 Dillon, John, and others: vide Tolls.
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 Donohoo ((or Donahoo)), James: vide Claims For Losses.
 Dorman, O., and others: vide Roads And Bridges.
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 Dougal ((or Dougall)), D. M., and others: vide Railroad, Niagara And Detroit Rivers.
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 Eastern District, Municipal Council of: vide Roads And Bridges.
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 Elliot, Rev. T. G., and others: vide Clergy Reserves.
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Flemming, Rev. C. B., and others: vide Clergy Reserves.

Fletcher, Rev. Charles, and others: vide Universities.

Flood, Rev. Richard, and others: vide Clergy Reserves.

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Forbes (dite M'Mullen), Sister E., and others: vide Hospitals.

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Foster, Stephen S., and others: vide Shefford Academy.

Fralick, Rev. Benjamin, and others: vide Universalists.

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Gamelin, Pierre: vide above, Demaray, P. P., and Pierre Gamelin.

Gapper, R. C., and others: vide Roads And Bridges.

Gardiner, Samuel, and others: vide Claims For Losses.

Garette, Pierre, and others: vide Winter Carriages And Roads.

Gates, Colvin ((or Calvin)), and others: vide Harbours.

Gaulin, Rt. Rev. R.: vide Colleges.

Gauthier, Augustin, Jr.

Geddes, J. Gamble, and others: vide Education And Schools; Universities.

Gemmill, John A., and others: vide Roads And Bridges.

Gemmill, John R.

Gendron, Simon, and Joseph Benoit: vide Winter Carriages And Roads.

Gibb, Mrs. Marion, and others: vide Quebec Charles Street Infant School.

Gibbs, Rev. David, A. M., and others: vide Clergy Reserves; Universities.

Gibson, John, and others: vide Roads And Bridges.

Gibson, William, and others: vide Edwardsburgh Township.

Gildersleeve, Henry, and others: vide Railroad, Wolfe Island, Kingston And Toronto.

Gilmour and Co., Messrs., and others: vide Bankrupts.

Giroux, Rev. A. O., and others: vide Registration.

Giroux, William, and others: vide Turnpike Roads.
 Glen, John, and others: vide Ferries.
 Globensky, L. E., and others: vide Roads And Bridges.
 Gooderham and Worts, Messrs., and others: vide Duties.
 Gooft, Rev. Jacob, and others: vide Menonists And Tunkers.
 Gore Bank, President, and Directors of: vide Banks.
 Gorham, Eli, and others: vide Clergy Reserves.
 Gosset, Isaac Hilgrove: vide Marriages.
 Goudreault, S. F., and others: vide Registration.
 Gould, Joseph, and others: vide Clergy Reserves.
 Gourlay, Robert Fleming.
 Graham, Henry F., and others: vide Burlington Bay Canal.
 Graham, William, and others: vide Clergy Reserves.
 Grange, George T. ((or George I.)), and others: vide Universities.
 Grange, George J., and Thomas Hodgskin: vide Universities.
 Grant, James: vide below, Mathison, John, And James Grant.
 Grasett, George R.: vide below, King, John, M.D., and George R. Grasett, L.M.
 Graybill, John, and others: vide Niagara District.
 Great Western Railroad Company: vide Railroad, Great Western.
 Green, James L., and others: vide Clergy Reserves.
 Green ((or Greene)), William, and others: vide Clergy Reserves.
 Grieve, Elliot, Sr., and others: vide Universities.
 Griffith, Richard, and others: vide Roads And Bridges.
 Grubb, John, and others: vide Plank Roads.
 Guay, F. H., and others: vide Registration.
 Guerout, Rev. N., and others: vide Clergy Reserves.
 Gunne, Rev. J., and others: vide Clergy Reserves.
 Gunning, Rev. William H., and others: vide Clergy Reserves.
 Guy, E., and others: vide Macadamized Roads.

H

Haines, Absalom, and others: vide Universities.
 Haines, Thomas Augustus, Jr.: vide Clergy Reserves.
 Hale, Jeffery, and others: vide British And Canadian School Society;
 Quebec British And Canadian School Society.
 Hale, John, and others: vide Duties.
 Hall, John, and others: vide Roads And Bridges.
 Hall, R. N., and Rev. William King, and others: vide Clergy Reserves.
 Hall, William, and others: vide Roads And Bridges.
 Hamel, Joseph, and others: vide Quebec Fires.
 Hamilton, James, and others: vide Roads And Bridges.
 Hamilton and Low, Messrs.: vide Turnpike Roads.
 Hamilton, President and Board of Police of: Barton Township.
 Hamilton, Robert Jarvis, and others: vide Barton Township.
 Hannah, James: vide Vidal, Richard E.
 Hannah, William, and others: vide Tolls.
 Harbin ((or Harlin)), Rev. John, and others: vide New Jerusalem Church.
 Harding, Rev. Robert, and others: vide Clergy Reserves.
 Harkin, Rev. P. H., and others: vide Insane.

Harlin, Rev. John, and others: vide above, Harbin ((or Harlin)), Rev. John, and others.
 Harris, Rev. Michael, A.M., and others: vide Perth Town.
 Harrold, Samuel, and others: vide Clergy Reserves.
 Harwood, Hon. R. U., and others: vide Roads And Bridges.
 Hatt, John O., and others: vide Clergy Reserves; Elections, Controverted, Halton County, West Riding.
 Haywood ((or Heywood)), Joseph, and others: vide Clergy Reserves.
 Heavener ((Or Havener)), Mrs. Margaret.
 Henry, Rev. Daniel, and others: vide Clergy Reserves.
 Henry, R., and others: vide Clergy Reserves.
 Henwood, E.: vide Medicine and Surgery.
 Héon, Joseph Louis: vide Roads And Bridges.
 Héroux, Lieut. Col. P. J., and others: vide Roads And Bridges.
 Herrick, John S., and others: vide Universities.
 Heywood, Joseph, and others: vide above, Haywood ((or Heywood)), Joseph, and others.
 Hickie, Rev. John, and others: vide Clergy Reserves.
 Higgins, Joseph J., and others: vide Duties.
 Hill, Charles.
 Hill, H. N., and others: vide Education And Schools.
 Hill, Rev. S. J., and others: vide Clergy Reserves.
 Hillis, William, and others: vide London District.
 Hilton, James B. J., and others: vide Duties.
 Hincks, Hon. Francis, and others: vide St. Patrick's Society.
 Hitchcock, Samuel, and others: vide Vidal, Richard E.
 Hobson, Rev. William H., and others: vide Clergy Reserves.
 Hochelaga, Municipal Council of: vide Municipalities; Turnpike Roads.
 Hodgkisson, Robert, and others: vide Roads And Bridges.
 Hodgskin, Thomas: vide above, Grange, George J., and Thomas Hodgskin.
 Hollingsworth, Edward, and others: vide Clergy Reserves.
 Holmes, A. F., M.D., and others: vide Universities.
 Home District, District Council of: vide Education And Schools.
 Honorat, Rev. B., and others: vide Real Estate.
 Hoofstetter, Philip ((or Phillip)), And Others.
 Hoover, Daniel, and others: vide Clergy Reserves.
 Hopkins, Caleb, and others: vide Macadamized Roads.
 Hornick, George, and others: vide Clergy Reserves.
 Horton, William, and Thomas D. Warren: vide Elections, Controverted, Middlesex County.
 Hovington, Joseph, and Ephraim Tremblay: vide Pilots.
 Hudon, Very Rev. Hyacinthe: vide Les Religieuses De Notre Dame Du Bon Pasteur.
 Hudon, Joseph, and Jean Baptiste Martin: vide Municipalities; Roads And Bridges.
 Hume, William Charles: vide Harbours.
 Hume, William Charles, and others: vide Roads And Bridges.
 Hunter, M. T.: vide Harbour Dues.
 Huot: vide above, Burroughs and Huot, Messrs.
 Huot, C. P., and others: vide Roads And Bridges.
 Hutchison, James, and James F. M'Carthy: vide Harbours.

Hyndman, A. W., and others: vide Clergy Reserves.

I

Ireland, Joseph, and others: vide Macadamized Roads.

J

Jackson, C., and others: vide Charleston Academy.

Jackson, Rev. C., and others: vide Clergy Reserves.

Jacquies, Adolphus.

Jameson, Henry Joseph: vide Bankrupts.

Jameson, Hon. Robert S., and others: vide Hospitals.

Jarvis, W. B., and others: vide Building Societies; Lake Superior And Lake Huron Canal; Mining.

Jessup, H., and others: vide Quebec Fires.

Jewell, Ebenezer.

Johnson, Rev. Thomas, and others: vide Railroads.

Johnston, Arthur, and others: vide Niagara District.

Johnston, David, and others: vide Roads And Bridges.

Johnston, Irvine, and others: vide Roads And Bridges.

Johnston, James, and others: vide Mississippi River.

Johnston, John, and others: vide Universities.

Johnstown, Municipal Council District: vide Division Courts.

Jones, Henry, and others: vide Assessments.

Jones, Norman, and others: vide Clergy Reserves; Surveying.

Jones, S., and others: vide Clergy Reserves.

Jones, Rev. William, and others: vide Railroads.

Julyan, Robert: vide Trinity Houses.

K

Kains, Thomas, and others: vide Roads And Bridges.

Kay, John: vide below, Voller, James, and John Kay.

Kennedy, Rev. Thomas Smith, and others: vide Clergy Reserves.

Kent, William, and others: vide Education And Schools.

Kerby, James: vide Ferries.

Kerby, James, and others: vide Niagara District.

Kerns, William B., and others: vide Clergy Reserves.

Kerr, Rev. Matthew, and others: vide Clergy Reserves.

Kilborn, Rowley, and others: vide Niagara District.

King, John, M.D., and George R. Grasett, L.M.: vide Medicine And Surgery.

King, Rev. William, and others: vide above, Hall, R. N., and Rev.

William King, and others.

King, Rev. William, and others: vide Railroads.

King's College Council: vide Universities.

Knight, Rev. Robert, and others: vide Clergy Reserves.

Knowles, Daniel, and others: vide Universities.

L

Lachapelle, Paschal, and others: vide Municipalities.

Lacoste, L. R.: vide above, Doucet, N. B., and L. R. Lacoste.
 Laframboise, Alexis, and others: vide Montreal City.
 Laing, John, and others: vide Roads And Bridges.
 Laliberté, Lieut. Jean Baptiste.
 Lamarre, Rev. Messire, and others: vide Roads And Bridges.
 Lamb, John, and others: vide Clergy Reserves.
 Lambert, François X., and others: vide Roads And Bridges.
 Lane, Mrs. Lucinda.
 Langevin, Jean.
 Larned, Henry S.: vide below, Read, James, and Henry S. Larned.
 Laroche, François.
 Larocheville, Simeon.
 Larocque, Rev. C., and others: vide Education And Schools.
 Lassiseraye, Charles Hubert.
 Laurie, Rev. A. G., and others: vide Universalists.
 Laverdière, Jean Baptiste, and others: vide Bellechasse.
 Laverrier, Louis Joseph, and others: vide Municipalities.
 Law, Isaac, and others: vide Marriages.
 Lawrason, L., and others: vide London District.
 Leavitt, Rev. David, and others: vide Universalists.
 LeBel, Cyprien, and T. ((or F.)) H. Pinet: vide Roads And Bridges;
 St. Louis De Kamouraska.
 Lebel ((or Le Bel)), Jean Baptiste, and others: vide Turnpike Roads.
 Le Bourdais, Rev. Messire, and others: vide Winter Carriages And Roads.
 Leeming, Joseph, and others: vide Clergy Reserves.
 Leeming, Rev. William, and others: vide Clergy Reserves.
 Le François ((or Lefrançois)), Dominique, and others: vide Winter
 Carriages And Roads.
 Lefrançois, Louis Célestin: vide Registration.
 Légaré, Jacques, and others: vide Roads And Bridges; Tolls; Winter
 Carriages And Roads.
 Lemire, Moyse, and others: vide Education And Schools.
 Lemoine, Rev. George L., and others: vide River St. Charles.
 Lemon, John, and others: vide Niagara District.
 Lemonde, Joseph.
 Les Religieuses De Notre Dame Du Bon Pasteur.
 Leslie, Anthony.
 Leslie, William, Sr., and others: vide Clergy Reserves.
 Lesslie, John, and others: vide Clergy Reserves.
 Lewis, Israel, C. M.
 Light, Col. A. W., and others: vide Railroad, Port Burwell And Port Sarnia.
 Literary and Historical Society of Quebec: vide Quebec Literary And
 Historical Society.
 Little, Taylor, And Others.
 Lloyd, Thomas William, and others: vide Duties.
 Long, Henry, and others: vide below, Short, John, and Henry Long,
 and others.
 Lonsdale, Rev. Richard, and others: vide Clergy Reserves.
 Lough, William, and others: vide Universities.
 Lount, George, and others: vide Roads And Bridges.
 Low: vide above, Hamilton and Low, Messrs.

Lundy, Rev. Francis J.: vide McGill College.
 Lyon, John, and others: vide Clergy Reserves.
 Lyster, Christopher, and others: vide Roads And Bridges.

M

Macara, John.
 Mack, Frederick, and others: vide Clergy Reserves.
 MacNab, Sir Allan Napier, and others: vide Hamilton.
 Macnab ((or M'Nab)), Daniel, and others: vide Universities.
 Maddock, John, and others: vide Clergy Reserves.
 Maitland, J. J., and others: vide Clergy Reserves.
 Mallock ((or Malloch)), Edward: vide Ordnance Department.
 Manseault, L'Esdras ((or L. Esdras)), and others: vide Winter Carriages And Roads.
 Marchand, G.: vide Chambly Canal.
 Marchand, Gabriel, and others: vide Agriculture.
 Marshall, John, Sr., and others: vide Clergy Reserves.
 Martin, Jean Baptiste: vide above, Hudon, Joseph, and Jean Baptiste Martin.
 Mason, M., and others: vide Clergy Reserves.
 Mathews ((or Matthews)), Charles, and others: vide Clergy Reserves.
 Mathison, Donald, and others: vide Universities.
 Mathison, John, And James Grant.
 M'Bride, John, and others: vide Railroad, Niagara And Detroit Rivers.
 M'Callum, J., and others: vide Registration.
 M'Cann, Henry ((or Alexander)), and others: vide Clergy Reserves.
 M'Cargar, Hugh, and others: vide Clergy Reserves.
 M'Cargar, Milo, and others: vide Surveying.
 M'Carthey, James F.: vide above, Hutchison, James, and James F. M'Carthey.
 M'Carthy, Michael.
 M'Cord, J. S., and others: vide Clergy Reserves.
 M'Cosh, Rev. R.: vide Universities.
 M'Crae, Thomas, and others: vide Railroad, Niagara And Detroit Rivers.
 M'Dermid, Donald.
 M'Donagh, Rev. M.: vide Perth Town.
 M'Dougall, William, and others: vide Municipalities.
 Méloche, Toussaint, and others: vide Turnpike Roads.
 Mercer, Robert, and others: vide Plank Roads.
 Metzler, Mrs. M.: vide below, Reeves, Mrs. Margaret E. V., and others.
 M'Fayden, Archibald, and others: vide Roads And Bridges.
 M'Gill, Hon. Peter, and others: vide Mining.
 M'Gillis, Roderick, and others: vide Lumber.
 M'Gillivray, John, and others: vide Post Office Department.
 M'Givern, Mrs. Elizabeth: vide Ordnance Department.
 M'Grath, Rev. J., A.M., and others: vide Clergy Reserves.
 Michell, William Henry, and others: vide Universities.
 Mignault ((or Migneault)), Rev. Pierre M.: vide Colleges.
 Mignault, Rev. P. M., and others: vide Winter Carriages And Roads.
 Miller, Henry, And Others.
 Miller, Henry, and others: vide Universities.
 Miller ((or Millar)), Richard, and others: vide Assessments.

Mills, John E.: vide Railroad, Champlain And St. Lawrence.
 M'Intyre, Rev. John, and others: vide Clergy Reserves.
 M'Kenzie, John D., and others.
 M'Kenzie, Murdock: vide Quebec Fires.
 M'Kinnon, Ronald, and others: vide Universities.
 M'Knaughton ((or M'Naughton)), Edward, and others: vide Roads And Bridges.
 M'Lean, Alexander, and others: vide Cornwall Town.
 M'Lean, Thomas, and others: vide Clergy Reserves.
 M'Lennan, Mrs. Catherine.
 M'Leod, Alexander.
 M'Millan, Archibald, and others: vide Roads And Bridges.
 M'Murray, Rev. William (Dundas), and others: vide Clergy Reserves.
 M'Murray, Rev. William (Ancaster), and others: vide Clergy Reserves;
 Education And Schools; Universities.
 M'Nab, Daniel, and others: vide above, Macnab ((or M'Nab)), Daniel, and others.
 M'Naughton, Alexander, and others: vide Universities.
 M'Naughton, Edward, and others: vide above, M'Knaughton ((or M'Naughton)),
 Edward, and others.
 Mockridge, Rev. James, and others: vide Clergy Reserves.
 Molson, Thomas, and others: vide Clergy Reserves.
 Molson, Thomas, and others: vide Montreal City.
 Montreal Board of Trade: vide Bankrupts; Duties; Usury.
 Montreal Gas Light Company: vide Montreal City.
 Montreal General Hospital, President and Governors of: vide Hospitals.
 Montreal Ladies Benevolent Society.
 Montreal Protestant Orphan Asylum.
 Montreal, Rt. Rev. the Catholic Bishops of, and others: vide Jesuits.
 Montreal, Rt. Rev. Lord Bishop of, and others: vide Clergy Reserves;
 Quebec National School; Railroads.
 Montreal, Trustees of Turnpike Roads: vide Turnpike Roads.
 Moore, John, and others: vide Roads And Bridges.
 Morgan, Thomas.
 Moriarty, John S., and others: vide Marriages.
 Morin, Amable: vide below, Soulard, F. M., and Amable Morin.
 Morin, Hon. A. N.: vide Agriculture.
 Morrin, William, and others: vide Roads And Bridges.
 Morris, John, and others: vide Colleges.
 Morris, James, and others: vide Universities.
 Morris, William, and others: vide Clergy Reserves.
 Moshier, Thomas, and others: vide Clergy Reserves.
 Mountain, Mrs. Mary H.: vide Quebec Male Orphan Asylum; Quebec Protestant
 Female Orphan Asylum.
 Mousseau, Alexis, and others: vide Militia.
 Mulock ((or Murlock)), Rev. John A., and others: vide Clergy Reserves.
 Murphy, Ferdinand, and others: vide Macadamized Roads.
 Murphy, John, and others: vide Universities.

N

Nadeau, François.
 Nelles, Peter B., and others: vide Niagara District.

New, William, and others: vide Hamilton.
 Niagara, Municipal Council, District of: vide Assessments; Education And Schools; Lands; Macadamized Roads; M'Micking, G.; Niagara District; Roads And Bridges; Taxes; Temperance.
 Notman, William: vide Elections, Controverted, Middlesex County.

O

O'Beirne, M. T., and others: vide Universities.
 O'Hara, H., and others: vide Clergy Reserves.
 Ormsby, S., and others: vide Clergy Reserves.
 Oswald, John, and others: vide Education And Schools.
 Otisse, Alexis, and others: vide Roads And Bridges.
 Ouellet, Joseph, and others: vide Roads And Bridges.
 Overholt, Aaron, and others: vide Clergy Reserves.
 Owen, Oliver, And Joseph Sifton.

P

Pacaud, Louis Edouard ((Or Edward)).
 Pagé, Jean Baptiste, and others: vide Turnpike Roads.
 Pagé, Pierre, and others: vide Trinity Houses.
 Paquin, Rev. J., and others: vide Agriculture.
 Parant, Rev. Antoine, and others: vide Roads And Bridges.
 Paré, H. P., and others: vide Education And Schools.
 Parks, William, and others: vide Roads And Bridges.
 Parmenter, Joel D., and others: vide Division Courts.
 Parry, Thomas O., and others: vide Niagara District.
 Parson, John, and others: vide Roads And Bridges.
 Paterson, John, and others: vide Universities.
 Patry, Rev. P., and others: vide Registration.
 Patton, Rev. Henry, and others: vide Clergy Reserves.
 Patton, Horatio N., and others: vide Ferries.
 Peacock, William, and others: vide Clergy Reserves.
 Pearson, James, and others: vide Hillier, Township.
 Peasley, Osgood, and others: vide Bolton Township.
 Percival, Richard, and others: vide Universities.
 Percival, Thomas, and others: vide Education And Schools.
 Perrault, Augustin, and others: vide Banks.
 Perry, George, and others: vide Turnpike Roads.
 Perry, G. L., and others: vide Macadamized Roads.
 Perry, Peter, and others: vide Roads And Bridges.
 Pettit, Andrew, and others: vide Clergy Reserves.
 Phillips, Rev. Thomas.
 Pierce, John A., and others: vide Vanzandt, Jacob L., And Juliet Vanzandt.
 Pinet, T. H.: vide above, Lebel, Cyprien, and T. ((or F.)) H. Pinet.
 Pinhey, Hamnett: vide Ordinance Department.
 Pinsoneault (dite St. Joseph), Marie Honorine, and others: vide Hospitals.
 Plees, Rev. R. G., and others: vide Clergy Reserves.
 Ployart, Jean Louis.
 Pope, Abel S.: vide above, Adams, Hiram, and Abel S. Pope.
 Porlier, Rev. François P., and others: vide Registration.

Potvin, Rev. J. B., and others: vide Roads And Bridges.
 Power, William, and Jean Casimir Bruneau: vide Circuit Courts.
 Prescott, Corporation of: vide Ferries.
 Price, William: vide Pilots.
 Prince, John, and others: vide Railroad, Niagara And Detroit Rivers.
 Proudfoot, A., and others: vide Clergy Reserves.
 Proulx, Thomas, and others: vide Surveying.
 Proulx, Rev. Louis, and others: vide Registration.
 Puddicombe, Henry, and others: vide Clergy Reserves.
 Pyke, Rev. James, and others: vide Clergy Reserves.

Q

Quebec, Archbishop of, and others: vide Gaols; Jesuits.
 Quebec Board of Trade: vide Custom Houses; Duties; Trinity Houses.
 Quebec, Literary And Historical Society.
 Quebec, Mayor and Councillors of: vide Quebec City; Trinity Houses.
 Quimby, John M., And Others.

R

Rainsford, A., and others: vide Clergy Reserves.
 Ramsay, William, and others: vide Clergy Reserves.
 Read, James, and Henry S. Larned: vide Board Of Works.
 Read, Rev. Thomas B., and others: vide Clergy Reserves.
 Rees, William.
 Reeves, Mrs. Margaret E. V., And Others.
 Reid, John, and others: vide Medicine And Surgery.
 Renouf, Philippe ((or Philip)), and others: vide Rimouski County.
 Rice, Israel.
 Richards, John, and others: vide Temperance.
 Richardson, Charles, and others: vide Plank Roads.
 Richardson, Maj. John.
 Riddell, Robert: vide Elections, Controverted, Oxford County.
 Riddell, Robert, and others: vide Naturalization.
 Ridout, Thomas Gibbs, and others: vide Toronto Mechanics' Institute.
 Rintoul, David, and others: vide Clergy Reserves; Universities.
 Riordean, Dennis.
 Riselay, Edmund, and others: vide Ferries.
 Ritchie, John, and others: vide Baptists.
 Ritchie, Mrs. Louise Hélène.
 Ritchie, Rev. William, and others: vide Clergy Reserves.
 Ritchie, William, and others: vide Sherbrooke Academy.
 Rival, Capt. J. C., and others: vide Wharves.
 Rivière du Loup, Mayor, Councillors of Municipality of: vide Rimouski County.
 Roaf, John, and others: vide Temperance.
 Robertson, Charles, and others: vide Winter Carriages And Roads.
 Robins, William, and others: vide Roads And Bridges.
 Robitaille, Jean Marie, and others: vide Winter Carriages And Roads.
 Roe, George, and others: vide Clergy Reserves.

Rogers, John Francis.

Rogers, Robert D., and others: vide Peterborough Town.

Rogerson, William, and others: vide Lumber.

Roman Catholic Ladies, Charitable Association of: vide above, Charitable Association, Quebec.

Rosamond, James, and others: vide Clergy Reserves.

Rousseau, Jean Baptiste, and others: vide Roads And Bridges.

Rowe, William, and others: vide Harbours.

Roy, Féréol, and others: vide Ferries.

Roy, Hon. Gabriel, and others: vide Roads And Bridges.

Roy, Rev. P., and others: vide Turnpike Roads.

Ruttan, Henry: vide Railroad, Halifax.

Ruttan, Henry, and others: vide Ferries.

Rykert, George, and others: vide Niagara District.

Ryland, George H.

S

St. Germain, Hyacinthe, and others: vide Surveying.

St. Hyacinthe, College of: vide Colleges.

St. Hyacinthe, Municipal Council: vide Winter Carriages And Roads.

St. Jorre, Michel Honoré.

Ste. Anne de la Pocatière, Municipal Council of Municipality of: vide Roads And Bridges.

Sanborn, A., and others: vide Clergy Reserves.

Sanders, Thomas, and others: vide Clergy Reserves.

Sandys, Rev. Francis William, and others: vide Clergy Reserves.

Sauvageau, A., and others: vide Turnpike Roads.

Saxton, Alexander: vide below, Wrong, G., and Alexander Saxton.

Scheffer, John, and others: vide below, Sheffer ((or Scheffer)), John, and others.

Schooley, Abraham, and others: vide Niagara District.

Scott, James, and others: vide Universities.

Scott, M., and others: vide Registration.

Scriver, John: vide Feudal Tenure.

Seelye, James.

Servos, D. K., and others: vide Clergy Reserves.

Sharples, John: vide Lumber.

Sharrard, James W., and others: vide Christians.

Shaw, George.

Shaw, Hosea, and others: vide Roads And Bridges.

Sheffer ((or Scheffer)), John, and others: vide Clergy Reserves.

Shenston, Thomas S.

Shirley, Rev. Paul, and others: vide Clergy Reserves.

Short ((or Shortt)), Rev. Jonathon, and others: vide Clergy Reserves.

Short, John, and Henry Long, and others: vide Clergy Reserves.

Short, Rev. R., and others: vide Clergy Reserves.

Sifton, Joseph: vide above, Owen, Oliver, And Joseph Sifton.

Sill, James, and others: vide Boundary Lines.

Silver, George, and others: vide Universities.

Simcoe, Municipal Council District of: vide Assessments; Duties; Education

And Schools; Registration; Roads And Bridges; Taxes.
 Simpson, W., and others: vide Education And Schools.
 Simpson, W. B., and others: vide Education And Schools.
 Sinclair, Rev. Dugald: vide Clergy Reserves.
 Sivigni, Ambroise, and others: vide Winter Carriages And Roads.
 Slocum, Joseph P.: vide Vidal, Richard E.
 Small, Francis, and others: vide Clergy Reserves.
 Smith, Ichabod, and others: vide Stanstead Seminary.
 Smith, Joseph, and others: vide Roads And Bridges.
 Smyth, William, and others: vide Roads And Bridges.
 Society of Education of District of Quebec: vide above, Education
Society of District Quebec.
 Solmes, Samuel, and others: vide Administration Of Justice.
 Somerville, Richard, and others: vide Clergy Reserves.
 Soulard, F. M., and Amable Morin: vide St. Roch Des Aulnets.
 Sparks, N., and others: vide Ordnance Department.
Spruen, T.
 Steel, Thomas, and others: vide Railroad, Quebec And Melbourne.
 Steel, Thomas, and others: vide Roads And Bridges.
 Steel, William, and others: vide Clergy Reserves.
 Stewart, Lachlin, and others: vide Roads And Bridges.
 Stobo, Robert, and others: vide Surveying.
Strickland, John.
 Stuart, Lady E., and others: vide Quebec Infant School.
 Stuart, George O'Kill, and others: vide Railroad, Halifax; Railroad,
Quebec And Melbourne; Railroad, St. Lawrence And Atlantic.
 Stuart, Ven. George O'Kill, L.L.D., and others: vide Clergy Reserves;
Kingston.
 Stuart, Sir James, and Nicholas Austin: vide Lands.
 Sutton, Rev. Edward G., and others: vide Clergy Reserves.
 Symms, R. A.: vide above, Barrett, William, and R. A. Symms.

T

Talbot, Municipal Council District: vide Railroad, Niagara And Detroit
River.
Taylor, James.
 Taylor, John, and others: vide Clergy Reserves.
 Taylor, Rev. J., and others: vide Railroads.
Teed, Mrs. Eleanor.
 Tegarehontie ((or Tegarihontie)), Wishe, and others: vide Indians.
 Thom, John, and others: vide Clergy Reserves.
 Thompson, Archibald, and others: vide Niagara District.
 Tiffany, George S., and others: vide Railroad, Kingston And Prescott.
 Tipping, John, and others: vide Roads And Bridges.
 Tomlinson, Joseph, and others: vide Plank Roads.
 Toronto Board of Trade: vide Duties; Postage.
 Toronto and Lake Huron Railroad Company, President and Directors of:
vide Railroad, Toronto And Lake Huron.
 Toronto, Mayor, Aldermen and Commonalty of: vide Library; Toronto
Incorporation.

Toronto, Rt. Rev. Lord Bishop of, and others: vide Clergy Reserves;
Education And Schools; Toronto House Of Industry.

Tousignant, Mr. Noel.

Townley, Rev. Adam, and others: vide Clergy Reserves.

Townsend, M., and others: vide Clarenceville Academy; Education And Schools.

Townsend, Rev. M., and others: vide Railroads.

Tremain, William, and others: vide Mill Dams.

Tremblay, Ephraim: vide above, Hovington, Joseph, and Ephraim Tremblay.

Trépanier, Pierre J. ((or Pierre I.)), and others: vide Roads And Bridges.

Trudel, David, and others: vide Roads And Bridges.

Trudel ((or Trudelle)), J. B., and others: vide Winter Carriages And Roads.

Turgeon, Charles.

Tyson, Thomas W., and others: vide Clergy Reserves; Universities.

U

Upper Canada, Bank of: vide Banks.

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Walker, Robert, and others: vide Universities.

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 Whitney, H. H., and others: vide Clergy Reserves.
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 Wiley, William, and others: vide Niagara District.
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PHILLIPS, REV. THOMAS:--Petition of, for continuance of his salary as Chaplain, in the Legislature of Upper Canada, (189) 1115, (203) 1214.

PHYSIC AND SURGERY:--Vide Medicine And Surgery.

PILOTS:--Petition of James Alexander, and others, for exclusive privilege of piloting on the River Saguenay, (36) 210-211, (46) 259. Referred, (51) 280. Petitions of Joseph Hovington, and Ephraim Tremblay, (111) 711, (142) 827. Also, of William Price, against Petition of James Alexander, and others, (111) 711, (142) 827. Referred, (143) 830. Vide above. Report, (160) 916.

-----Bill to make provision for pilotage to River Saguenay, presented and read, (160) 916. Read second time; Committed, (185) 1057. Reported; Engrossed, (188) 1080. Passed, (189) 1116.

-----Bill to authorize Trinity House, Quebec, to license certain pilots, presented and read, (208) 1245. Read second time; Engrossed, (273) 1609. Passed, (277) 1620. By the Council, (290) 1730. Royal Assent,

(345) 1955. (9 Vic., cap. 55.)

-----Vide Addresses, To His Excellency, (46.)

PLANK ROADS:--Petition of John Grubb, and others, for Act of Incorporation, to construct a plank road, (10) 83, (16) 107. Referred, (41) 235-236. Report, (56) 308. Vide below. Petition of William Bowron, and others, to be incorporated as Beauharnois Plank Road Company, (36) 210, (45) 258. Referred, (46) 261. Report, (56) 308-309. Notice that Rules of the House be dispensed with this Petition, (56) 309. Standing Rule dispensed; Referred, (65) 366. Report, (68) 382-383. Vide below. Petition of Joseph Tomlinson, and others, for a plank road in Home District, (41) 235, (50) 278. Petition of Charles Richardson, and others, for amendments to Act to construct a plank road from Niagara to Ten Mile Creek, (45) 257, (55) 306. Referred, (55) 307. Report, (68) 382. Petition of Robert Mercer, and others, for plank road from Queenston to Windsor, (99) 605, (112) 714.

-----House resolves to go into Committee to consider of incorporating the Huntingdon Plank Road Company; Considered, (92) 559. Resolution reported and agreed to, (97) 591-592. Vide below.

-----Bill to incorporate the Albion Road Company, presented and read, (56) 310. Read second time; Referred, (81) 503. Reported, (110) 658. Committed, (110) 659. Considered, (180) 1042-1043. Reported; Engrossed, (184) 1054. Passed, (185) 1073. By the Council, with amendments, (215) 1287. Agreed to, (219-220) 1315-1316. Royal Assent, (254) 1501. (9 Vic., cap. 88.)

-----Bill to incorporate Huntingdon Plank Road Company, presented and read, (97-98) 592. Read second time; Committed, (166) 968. Considered, (206) 1233. Reported; Engrossed, (212) 1257. Passed, (213) 1275. By the Council, (250) 1478. Royal Assent, (274) 1611. (9 Vic., cap. 84.)

PLOYART, JEAN LOUIS:--Petition of, indemnity for loss sustained through a public officer, (59) 341, (72) 454.

PLURALITY OF OFFICES:--Bill to prevent the undue accumulation of, presented and read, (40) 222. Ordered for second reading, (75) 469.

POLICE:--Bill to amend Act to amend certain provisions in an Ordinance, for establishing police in Quebec and Montreal, presented and read, (205) 1218. Read second time; Engrossed, (243) 1450. Passed, (244) 1459. By the Council, (258) 1512. Royal Assent, (273) 1610. (9 Vic., cap. 23.)

-----Vide also Addresses, To His Excellency, (30.); Cobourg Police; Richardson, Maj. John.

PORT BURWELL:--Vide Harbours.

PORT BURWELL AND PORT SARNIA RAILROAD:--Vide Railroad, Port Burwell And Port Sarnia.

PORTUGUESE CONGREGATION OF ISRAELITES:--Vide Jews.

POSTAGE:--Petition of Board of Trade, Toronto, on reduction of rates of postage, (88) 539, (99) 605. Vide Addresses, To Her Majesty, (1,4.); Contingencies.

POST OFFICE DEPARTMENT:--Petition of William Bates, and others, for relief against Deputy Post Master General, (111) 712, (142) 829. Referred, (143) 830. Vide below. Of John M'Gillivray, and others, (227) 1369, (237) 1433. Report of Commissioners on, in British America, (21) 123. Referred, (34) 188. Printed, (222) 1326. Other documents laid before the House respecting, (192-195) 1143-1150.

-----Select Committee appointed to enquire into the post office department, (52) 286-287. Petition of William Bates, and others, referred, (143) 830. Petition of Robert Ferguson, and others, referred, (151) 864-865. Resolution for Address to Her Majesty on subject of post office department, also referred, (280-281) 1640-1642.

-----Vide Addresses, To Her Majesty, (13, 16.); Kitley Township.

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PROROGATION:--Announcement of prorogation to be on 23 May 1846, 1306.

-----Question concerning date of prorogation of Parliament; Answer, 1489.

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PROVINCIAL SECRETARY'S OFFICE:--Vide Addresses, To His Excellency, (68.)

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cil, (296) 1758. Royal Assent, (345) 1954. (9 Vic., cap. 38.)

PUBLIC DEPARTMENTS:--Vide Addresses, To His Excellency, (70.)

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QUEBEC:--Vide British And Canadian School Society; Ferries; Gaols; Police; Railroad, Quebec And Melbourne; St. George's Society.

QUEBEC AND MELBOURNE RAILROAD:--Vide Railroad, Quebec And Melbourne.

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QUEBEC BRITISH AND CANADIAN SCHOOL SOCIETY:--Petition of Jeffery Hale, and others, for aid, (82) 515, (94) 582.

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QUEBEC CITY:--Petition of Mayor and Councillors, that the Act incorporating the Gas, Light and Water Company be repealed, (37) 211, (45) 258. Referred, (47) 262. Also, Petitions from same, on subjects of gas and water, vesting a certain piece of ground, and election of Assessors, referred, (62) 350. A Member added to Committee; Committee to report from time to time, (81) 499. Report, (143-144) 830-833. Vide below. Petition from same, respecting Mayor's Court, and Petition of Julien Chouinard, and others, also referred, (151) 865. Member added, to Committee, (152) 868. Report, (159-160) 913-915.

-----Petition of Mayor and Councillors, to light said City with gas, and to supply it with water; another Petition to vest a certain piece of ground in said Corporation, (49) 277, (60) 345. Also another Petition to provide for election of Assessors, (54) 303, (62) 348. Also another Petition for establishment of a Mayor's Court, presented; Standing Rule dispensed; Read, (150) 861. Petitions referred, (62) 350, (151) 865. Vide above. Petition of Archibald Campbell, and others, for equal representation of wards in Council of said City, (139) 789, (151) 864. Referred, (151) 865-866. Petition of Julien Chouinard, and others, to prohibit Hawkers in said City, (139) 789, (151) 864. Referred, (151) 865. Vide above.

-----Bill to repeal Quebec Gas and Water Company Act, presented and read, (144) 833. Read second time; Committed, (181) 1045-1046. Considered;

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-----Bill to supply Quebec with water, presented and read, (144) 833. Read second time; Committed, (181) 1046. Considered, (199) 1163-1164. Reported; Engrossed, (202) 1203. Passed, (202) 1212. Proofs and evidence requested by Council, (220) 1321-1322. Sent to Council, (227) 1369. Passed by the Council, with amendments, (297) 1759. Agreed to, (302) 1774-1775. Reserved for Her Majesty's pleasure, (346) 1956.

-----Bill to light Quebec with gas, presented and read, (144) 833. Read second time; Committed, (181) 1046. Considered, (199) 1164. Reported; Engrossed, (202) 1203. Passed, (202) 1212. Proofs and evidence requested by Council, (220) 1321. Sent to Council, (227) 1369. Passed by the Council, with amendments, (297) 1759. Agreed to, (301-302) 1774. Royal Assent, (345) 1954. (9 Vic., cap. 76.)

-----Bill to amend the Ordinances incorporating the City of Quebec, presented and read, (160) 915-916. Read second time; Committed; Considered, (206) 1232-1233. Reported; Engrossed, (212) 1257. Passed, (213) 1275. By the Council, (250) 1478. Royal Assent, (274) 1610. (9 Vic., cap. 22.)

QUEBEC CULLERS BENEVOLENT SOCIETY:--Vide Lumber.

QUEBEC FIRES:--Despatches relative to rebuilding by certain prepared wood, by Sir William Burnett; Despatches on the same subject, by Mr. Payne, (23-27) 128-138. Printed, (31) 147.

-----Message relating to raising debentures for £100,000, (210) 1252-1253. Motion to take Message into Consideration, ((210)) 1253. House in Committee on said Message, (227) 1369-1378. Reported, (234) 1410-1411. Vide below.

-----Petition of H. Jessup, and others, for certain By-Laws for prevention of fires, (41) 235, (50) 279. Of Joseph Hamel, and others, the same, (49) 277, (60) 344. Printed, (110) 659. Petition of Murdock M'Kenzie, for loss of his house, (58) 340, (71) 453. Petition of Joseph Hamel, and others, for loan at 3 per cent. to rebuild their property destroyed by the late fires, (202) 1212, (213) 1276.

-----Question concerning Ministry's intention to give aid to Quebec; Answer, 697.

-----Question concerning relief of sufferers by the fires at Quebec, ((187)) 1079.

-----Bill for issue of debentures for relief of City of Quebec, presented and read, (234) 1411. Read second time; Committed, (307) 1802. Considered, (307-308) 1802-1803. Reported, (311) 1819. Amendment; Bill to be engrossed, (312) 1819. Passed, (314) 1846. By the Council, (338) 1925. Royal Assent, (346) 1958. (9 Vic., cap. 62.)

QUEBEC FORWARDING COMPANY:--Petition of James Dean, and others, to be incorporated, (15) 103, (37) 213. Referred, (51) 280. Report, (100) 607. Vide below.

-----Bill to incorporate the Quebec Forwarding Company, presented and read, (100) 607. Read second time, (175) 1016-1018. Referred, (175) 1018.

QUEBEC INFANT SCHOOL:--Petition of Lady E. Stuart, and others, for aid, (36) 211, (46) 261.

QUEBEC LIBRARY ASSOCIATION:--Report of, for the year 1845, laid before the House, (67) 379-380.

QUEBEC LITERARY AND HISTORICAL SOCIETY:--Petition of J. C. Fisher, L.L.D., for aid to procure manuscript documents of history of Canada, (50) 278, (61) 348. Petition of the Society, for aid, (54) 303, (62) 348. Printed, (66) 366.

QUEBEC MALE ORPHAN ASYLUM:--Petition of Mrs. Mary H. Mountain, and others, for aid, (54) 303-304, (62) 348.

QUEBEC NATIONAL SCHOOL:--Petition of Lord Bishop of Montreal, and others, for aid, (82) 515, (94) 582.

QUEBEC PROTESTANT FEMALE ORPHAN ASYLUM:--Petition of Mrs. M. H. Mountain, for aid, (54) 303, (62) 348.

QUEBEC TRINITY HOUSE:--Vide Trinity Houses.

QUEBEC TURNPIKE TRUST:--Vide Addresses, To His Excellency, (19, 25.); Turnpike Roads.

QUEEN'S BENCH:--Bill to define and extend the powers thereof, relative to usurpations and vacancies in corporations, presented and read, (210) 1251. Read second time; Committed; Considered, (291) 1731. Reported; Engrossed, (296) 1756. Passed, (297) 1763.

-----Vide Administration Of Justice; Carruthers, Frederick ((or Frederic)) Fraser; Dempsey, John W.; Journals.

QUEEN'S COLLEGE:--Vide Universities.

QUEENSTON:--Vide Assessments.

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2. For Address to His Excellency for correspondence relative to reconstruction of the Executive Council, on division, (34) 168-187.
3. To dissolve the Committee on Oxford Contested Election, on division, (40-41) 229-230.
4. Commissioners on Middlesex Election to return the evidence taken, on division, (48) 268-269.
5. To refer report of Committee of whole on agriculture in Lower Canada, on division, (57) 315.
6. Amendment to Resolution concerning Commissioners on controverted elections for West Riding of Halton appearing at the Bar of the House, on division, (63-64) 359-361.
7. Amendment on motion for adjournment, (70) 437.
8. To refer Petitions on subject of Clergy Reserves to another Committee, on division, (80) 487-498.
9. On adjournments, on division, (98) 597-598, (136) 777, (137) 778, 778-779, 779, 780, (232) 1389, (250) 1477, (255) 1503, (342) 1937.
10. Amendment on postponing Orders of the Day, on division, (98-99) 598.
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13. To appoint André Leroux dit Cardinal, Deputy Sergeant-at-arms, on division, (138) 786.
14. That the Chairman of the Select Committee on West Halton election, be directed to attend in his place, on division, (140) 795-796. Amendment to Motion to admonish and discharge Commissioners, on division, (140) 796-798.
15. Address to His Excellency on militia promotions, on division, (144-145) 834-838.
16. To re-commit Committee of the whole House on sixth Resolution on customs duties, on division, (146) 842-843.
17. Amendments on salary of superintendent of education for Upper Canada, on division, (147-148) 847-848, (148) 848.
18. To read Trinity House Bill, Quebec, in six months, on division, (152-153) 879-881.
19. To discharge Commissioners on Middlesex Contested Election, on division, (156) 902-906.
20. For Committee of whole to consider of holding Courts of Assize once a year in certain Districts in Upper Canada, on division, (160) 916-919.
21. To read Bankrupt Bill second time in six months, on division, (188) 1093.
22. To re-imburse Petitioner his expenses on Middlesex Contested Election, on division, (196) 1151-1152.
23. To concur in report of Committee, on Petition of George H. Ryland, on division, (198) 1157-1162.
24. Amendment to Motion to read University Bill, Upper Canada, a second time, on division, (200) 1171-1181.
25. For Committee to proceed on private Bills, on division, (210) 1252.
26. To re-commit Resolutions concerning Montreal Roads, on division, (212) 1256-1257.
27. Amendment to Motion concerning where payment would be deducted from to pay James Durand's expenses, on division, (214) 1282-1284. Amendment to amount to be allowed, on division, (214) 1284-1285. Amendment that Petitioner give a statement of expenses, on division, (214) 1285.
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29. To read Brockville Town Lot Bill in six months, on division, (226) 1359. To resolve into a Committee, on division, (226) 1360.
30. Third reading of Brockville Town Lot Bill during the week, on division, (234) 1410.
31. On an amendment of Council on the Common School Bill, Upper Canada, (236) 1422.
32. To print certain documents, on division, (242) 1445.
33. Amendments to Gaspé Marriage Bill, on division, (242) 1447.
34. To refer Petition of Hon. James Crooks, on division, (245) 1461-1462.
35. To bring in Bill for formation of limited partnerships in Upper Canada, on division, (250) 1473-1474.
36. To refer report of Board of Works, on Cornwall and L'Original Road,

- on division, (250) 1474-1475.
37. To re-commit Hochelaga Municipal Bill, on division, (250-251) 1478.
 38. To amend Resolutions on supply granted to Her Majesty, on division, (257) 1507-1508, 1508.
 39. To refer Henry Cornelius Finlay's Petition, on division, (265) 1567-1568.
 40. To amend the amended Motion on Address to Her Majesty, concerning Clergy Reserves, on division, (267-268) 1584-1585.
 41. To amend twenty-second clause of Common School Bill, Lower Canada, on division, (273) 1607-1608.
 42. To read Toronto Hospital Bill second time, on division, (273) 1610.
 43. To amend Resolution concerning Jesuit Estates, on division, (285) 1675-1676. A further amendment, on division, (285) 1676.
 44. To re-commit the Militia Bill, on division, (286) 1679-1681.
 45. To strike out a clause in Administration of Justice Bill, for Lower Canada, on division, (302) 1776.
 46. That Committee on certain Resolutions on trade sit again, (303) 1784.
 47. For Committee on report of Standing Committee on the library, to sit again in a few days, on division; For Committee to sit again in six months, on division, (310) 1816.
 48. Amendments to Board of Works Bill, on division, (311) 1817-1818, 1818, 1818-1819. Vide Questions Negatived, (50.)
 49. To re-commit Upper Canada Municipal Bill, on division, (312) 1820-1821.
 50. To re-commit the Board of Works Bill, on division, (315) 1847-1848.
 51. To read District Courts Act Bill, Upper Canada, on division, (319) 1856. Vide Questions Negatived, (53.)
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 53. Amendment to Motion to engross District Courts Act Bill, Upper Canada, on division, (331) 1901.
 54. To concur in report of Committee on Petition of Maj. John Richardson, on division, (334) 1910-1913.
 55. To read Public Lands Bill, on division, (337) 1922.
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 57. Motion for second reading of Parishes, Churches, &c., Erection Bill to be amended that Partition of Land Bill be considered, on division, (342) 1937-1938.
 58. To read Marriage Bill, Upper Canada, second time, on division, (343) 1949-1950.
- QUIMBY, JOHN M., AND OTHERS:--Of Township of Stanstead, Petition of, for reduction in price of their lands, (49) 276, (59) 342. Referred, (164) 947. Vide Little, Taylor, And Others.

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RAILROAD, COBOURG AND KINGSTON:--For Act of Incorporation: Petition of

G. M. Boswell, and others, (41) 235, (50) 278. Referred, (56) 308.
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-----House resolves to go into Committee to consider of amending Cobourg Railroad Act; Considered, (65) 366. Resolution reported and agreed to, (74) 461. Bill to amend Cobourg Railroad Act, presented and read, (74) 461-462. Read second time; Committed, (154) 887. Considered, (182) 1046. Reported; Engrossed, (184) 1055. Passed, (186) 1074. By the Council, with amendments, (278) 1627. Agreed to, (283-284) 1671-1674. Royal Assent, (345) 1954. (9 Vic., cap. 80.)

RAILROAD FROM PROVINCE LINE, IN CONNECTION WITH ONE TO BOSTON:--Petition of William Workman, and others, (10) 83, (16) 107.

RAILROAD, GREAT WESTERN:--For amendments in Act of Incorporation: Two Petitions of President, Directors, and Company, (4) 10, (15) 104.

-----Bill to alter and amend the Charter of the Great Western Railroad Company, presented and read, (39) 217-218. Ordered for second reading, (49) 271, (66) 371, (148) 849. Read second time; Referred, (180) 1041. Reported, (209) 1248. Committed, (209) 1248. Considered, (209) 1248-1249. Reported, (243) 1452-1453. Engrossed, (243) 1453. Passed, (245) 1460. By the Council, with amendments, (274) 1612. Agreed to, (275-276) 1613-1615. Royal Assent, (345) 1954. (9 Vic., cap. 81.)

-----Vide also Railroad, Hamilton And Toronto.

RAILROAD, HALIFAX:--For Act to construct a railroad from boundary line between New Brunswick and Canada, to the western boundary of Upper Canada, and aid therefor: Petition of George O'Kill Stuart, and others, (45) 257, (55) 307. Petition of Henry Ruttan, (49) 277, (60) 344. Resolutions of the House; Address to His Excellency; Committee to draft the Address, (278) 1622-1625. Reported, (306-307) 1798-1799. Vide Addresses, To His Excellency, (95.)

-----Despatch on railroad from Halifax to Quebec, (120-123) 736-744.

-----Notice of Motion concerning several resolutions, 1593.

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RAILROAD, HAMILTON AND TORONTO:--For Act of Incorporation: Petition of Peter Buchanan, and others, (44) 256, (54) 305.

-----Bill to incorporate a company to extend Great Western Railroad from Hamilton to Toronto, presented and read; (39) 218. Ordered for second reading, (49) 271. Read second time; Referred, (66) 371. Committed, (87) 529. Considered, (98) 598, (155) 888-889. Reported; Engrossed, (161) 921. Re-committed; Considered, (166) 956. Reported; Engrossed, (174) 1006. Passed, (175) 1026. By the Council, with amendments, (258) 1512. Agreed to, (271-272) 1603-1604. Reserved for Her Majesty's pleasure, (345) 1956. Vide Railroad, Great Western.

RAILROAD, KINGSTON AND PRESCOTT:--For Act of Incorporation: Petition of George S. Tiffany, and others, (99) 605, (112) 714. Standing Rule dispensed, (112) 714.

RAILROAD, MONTREAL AND KINGSTON:--For Act of Incorporation: Petition of John Wetenhall, and others, (104) 644, (112) 714. Standing Rule dispensed, (112) 714.

-----Bill to incorporate Montreal and Kingston Railroad Company, presented

and read, (135) 772. Read second time; Referred, (212) 1268. Reported; Committed, (230) 1386. Considered, (282) 1662. Reported; Engrossed, (286) 1681. Passed, (287) 1702. By the Council, with amendments, (313) 1826. Agreed to, (318) 1854-1855. Reserved for Her Majesty's pleasure, (346) 1956.

RAILROAD, MONTREAL AND LACHINE:--For Act of Incorporation: Petition of J. Ferrier, and others, (10) 84, (17) 109. Vide below.

-----Bill to incorporate the Montreal and Lachine Railroad Company, presented and read, (92) 559. Read second time, (136) 774-776. Referred, (136) 776. Reported; Committed, (230) 1386. Considered, (282) 1662. Reported; Engrossed, (286) 1681. Passed, (287) 1702. By the Council, (308) 1804. Royal Assent, (345) 1955. (9 Vic., cap. 82.)

RAILROAD, NIAGARA AND DETROIT RIVERS:--For extension of time to complete the same: Petition of Thomas M'Crae, and others, (3) 6, (4) 12. Referred, (4) 12. Bill presented and read, (21) 118. Read second time, (53) 290. Referred, (53) 290-296. Reported; Committed, (87) 529. Considered, (104) 620-636. Committee rise without reporting, (104) 636. Other Petitions on the same: Of John Prince, and others, (15) 103, (37) 212. Vide Railroads. Of D. M. Dougal ((or Dougall)), and others; of Municipal Council, District of Talbot, (36) 210, (45) 258. Vide Railroads. Of Lachlin ((or Lachlan)) Bell, and others, (36) 211, (46) 260. Of John M'Bride, and others, (50) 277, (60) 345. Referred, (67) 381, (72) 454. Vide Railroads.

RAILROAD, PETERBOROUGH AND PORT HOPE:--Bill to incorporate the Peterborough and Port Hope Railroad Company, presented and read, (135) 772. Read second time; Referred, (181) 1044. Reported, (186) 1076. Committed, (189) 1105. Considered; Reported; Engrossed, (207) 1237. Passed, (213) 1275-1276. By the Council, with amendments, (250) 1478. Agreed to, (252-253) 1497-1498. Reserved for Her Majesty's pleasure, (346) 1956.

RAILROAD, PORT BURWELL AND PORT SARNIA:--For Act of Incorporation: Petition of Col. A. W. Light, and others, (41) 235, (50) 278. Referred, (51) 280. Report, (64) 362. Petition of John Burwell, against, (59) 341, (72) 454. Referred, (79) 483. Report, (87) 528.

RAILROAD, QUEBEC AND MELBOURNE:--For aid: Petition of Thomas Steel, and others, (10) 84, (17) 108. For Act of Incorporation: Petition of George O'Kill Stuart, and others, (41) 235, (50) 279. Vide below.

-----Bill to incorporate the Quebec and Melbourne Railroad Company, presented and read, (145) 838. Read second time; Referred, (181) 1045. Reported; Committed, (234) 1410.

RAILROAD, ST. LAWRENCE AND ATLANTIC:--Despatch on Act of Incorporation, (28-29) 139-140. Printed, (31) 147.

-----Report of, for the year ending 17 March 1846, laid before the House, (66-67) 378-379.

-----Bill to amend the Act incorporating the St. Lawrence and Atlantic Railroad Company, presented and read, (90) 547. Read second time; Standing Rule dispensed; Referred, (136) 774. Reported, (183) 1051-1052. Committed; Considered, (183) 1052. Reported; Engrossed, (188) 1080. Passed, (189) 1115-1116. By the Council, (205) 1226. Royal

Assent, (345) 1954. (9 Vic., cap. 79.) Petition of George O'Kill Stuart, and others, in favour, (207) 1242, (218) 1313-1314.

RAILROAD, TORONTO AND LAKE HURON:--For amendments to Act of Incorporation: Petition of the Company, (49) 276, (59) 342. Referred, (63) 350-351. (No Report.) Vide below.

-----Bill to amend the Act incorporating Toronto and Lake Huron Railroad Company, presented and read, (80) 487. Read second time; Committed; Considered, (167) 969. Reported; Referred, (168) 969. Reported, (183) 1051. Committed; Considered; Reported; Engrossed, (183) 1052. Passed, (185) 1073-1074. By the Council, with amendments, (235) 1413. Agreed to, (241) 1443-1444. Reserved for Her Majesty's pleasure, (345-346) 1956.

RAILROAD, WOLFE ISLAND, KINGSTON AND TORONTO:--For Act of Incorporation: Petition of Municipal Council, District of Victoria, (10) 83, (16) 107. Petition of Henry Gildersleeve, and others, (10) 84, (17) 109. Latter Petition referred, (63) 351-352. Vide below.

-----Bill to incorporate the Wolfe Island, Kingston and Toronto Railroad Company, presented and read, (91) 552-554. Ordered for second reading, (136) 774. Read second time; Referred, (181) 1043-1044. Reported, (186) 1076. Committed, (189) 1105. Considered; Reported; Engrossed, (207) 1237. Passed, (207) 1242. By the Council, with amendments, (250) 1478. Agreed to, (253) 1498-1499. Reserved for Her Majesty's pleasure, (346) 1956.

RAILROADS:--Vide Addresses, To Her Majesty, (11.)

-----Notice of Motion regarding railroads in the western part of the Province, 8.

-----Bill to consolidate certain provisions, in Acts for making railways, presented and read, (100) 607. Ordered for second reading, (138) 781, (181) 1044, (206) 1227.

-----Petitions against running of railways on Sundays: Of Rev. A. Duranseaux, and others, (168) 982, (182) 1050. Of Rt. Rev. Lord Bishop of Montreal, and others, (175) 1025, (186) 1075. Of Rev. John Bethune, and others, (202) 1212, (213) 1276. Referred, (218) 1293. Vide below. Of Rev. J. Taylor, and others, (232) 1406, (245) 1460. Referred, (245) 1461. Vide below. Of Rev. William King, and others, (244) 1458, (252) 1495. Of Rev. M. Townsend, and others, (262) 1562, (277) 1620. Of Rev. William Jones, and others, (263) 1562, (277) 1620. Of Rev. Thomas Johnson, and others, (262) 1562, (277) 1620. Of Rev. Richard Anderson, and others, (314) 1846, (333) 1908.

-----Documents laid before the House: Statement of affairs of the Champlain and St. Lawrence Railroad Company, (14) 102. Of St. Lawrence and Atlantic Railroad Company, (66-67) 378-379. Also, despatch (No. 457, 15 November 1845), on Reserved Bill of last Session to incorporate the St. Lawrence and Atlantic Railroad Company, (28-29) 139-140. Despatch (Circular, 15 January 1846), on the general principle respecting Railroad Acts, (29-31) 142-145. Both despatches, printed, (31) 147. Despatch (No. 4, 3 February 1846), on railroad from Halifax to Quebec, (120-123) 736-744. Referred, (136) 774. Vide below.

-----House resolves to go into Select Committee to consider of general

provisions for Railroad Bills, to come before the House in this or future Sessions. Notice of Motion, 159. Motion, (35) 190-191. To report from time to time, (86) 527. Quorum reduced, (140) 793-794. Matters referred: Niagara and Detroit Railroad Bill, (53) 290-296. Petition of G. M. Boswell, and others, Cobourg Railroad, (56) 308. Hamilton and Toronto Railroad Bill, (66) 371. Petition of Municipal Council, District of Talbot; Petition of D. M. Dougal, (67) 381. Petition of John M'Bride, and others; of Lachlin Bell, and others; of John Prince, and others, (72) 454. Petition of John Burwell, (79) 483. St. Lawrence and Atlantic Railroad Bill; Several despatches on railroads, (136) 774. Montreal and Lachine Railroad Bill, (136) 774-776. Toronto and Lake Huron Bill, (168) 969. Great Western Railroad Bill, (180) 1041. Wolfe Island Railroad Bill, (181) 1043-1044. Peterborough Railway Bill, (181) 1044. Quebec and Melbourne Railroad Bill, (181) 1045. Three Members added to Committee, (205) 1219. Montreal and Kingston Railroad Bill, (212) 1268. Petition of Rev. John Bethune, and others, (218) 1293. Petition of Rev. J. Taylor, and others, (245) 1461.

-----First report, (86) 527. Second report, (100) 607. Third report, Toronto and Lake Huron, (183) 1051. St. Lawrence and Atlantic, (183) 1051-1052. Fourth report, Wolfe Island, Kingston and Toronto Railroad, Peterborough and Port Hope Railroad Bill, (186) 1076. Fifth Report, Great Western Railroad Bill, (209) 1248. Sixth report, Montreal and Kingston Railroad Bill; Montreal and Lachine Railroad Bill, (230) 1386. Seventh Report, Quebec and Melbourne Railroad Bill, (234) 1410. Final Report, despatch on St. Lawrence and Atlantic Railroad Comapny, (270-271) 1599-1602.

RANDALL, ROBERT, ESTATE OF:--Petition of J. H. Culp, for payment of amount due to Estate of late Robert Randall, (82) 515, (94) 583. Referred, (163) 946-947. Report, (192) 1122. Committed, (210) 1251. Considered, (210) 1251-1252. Report of Committee, printed, (210) 1252. Again considered, (274) 1612-1613. No report, (274) 1613.

REAL ESTATE:--House resolves to go into Committee to consider of repealing Act 32 of Henry VIII, as relates to disposal of real estate held in adverse possession, (42) 241-243, (66) 368. Considered, (42) 243, (66) 368-371, (148) 849. Resolution reported and agreed to, (148) 849-850.

-----Petition of Rev. B. Honorat, and others; of David Gagnon, and others, on River Saguenay, for alteration of the Laws respecting property, to meet the exigencies of that settlement, (36) 211, (46) 259.

-----Vide also, Conveyance of Real Property.

REBELLION LOSSES:--Notice of Question regarding Government's intention to introduce a Bill to provide for Rebellion Losses in Lower Canada, 98. Question; Answer, 159.

-----Bill to provide for certain Rebellion Losses in Lower Canada, and to appropriate marriage license fund, presented and read, (336) 1921. Standing Rule dispensed; Read second time; Engrossed, (337) 1921. Passed, (338) 1924. By the Council, (344) 1952. Royal Assent, (346) 1958. (9 Vic., cap. 65.)

-----Vide also, Addresses, To His Excellency, (41, 59, 63, 86.); Claims

For Losses; Governor General, Messages From His Excellency, (23.); Supply.

RECONSTRUCTION OF CABINET:--Vide Addresses, To His Excellency, (21.)

RECORDS:--Select Committee appointed to enquire into the condition of the rolls, records, JOURNALS, &c., of Parliament of Upper and Lower Canada, and also of all other public offices in said Provinces, (56-57) 310-311. Vide Legislative Council, Messages To. Petition of Messrs. Burroughs, and Huot, referred, (62) 350. Reported; Committed, (259) 1521. Printed, (266) 1572. Reported, agreed to by House, (343) 1949. Vide Addresses, To His Excellency, (92, 104.)

REES, WILLIAM:--Petition of, for compensation for services in Lunatic Asylum at Toronto, (207) 1242, (218) 1314. Referred, (222) 1325. Reported, (292-293) 1748-1751. Concurred in, (318) 1855. Vide Addresses, To His Excellency, (78, 99.)

REEVES, MRS. MARGARET E. V.:--Petition of, respecting road at River St. Pierre, (237) 1433, (252) 1495.

REGISTRATION:--Petition of Julien Demers, and others, for removal of Registry Office from Lotbinière to Ste. Croix; of Rev. Louis Proulx, and others; of Rev. P. Patry, and others, for removal of Registry Office from Lotbinière to St. Antoine de Tilly, (10) 84, (16) 107. Petitions referred, (33) 167. Also Petition of Jean Villers, and others, (139) 789. Vide St. Louis De Lotbinière. Also Petition of S. F. Goudreault, and others, (151) 865. Report, (186-187) 1076-1077. Petition of S. F. Goudreault, and others, to hold said office at Lotbinière, (139) 788, (151) 864. Referred, (151) 865. Vide above. Petition of Rev. François P. Porlier, and others, against removal of Registry Office from Terrebonne, (156) 897, (163) 946. Petition of Messrs. Burroughs, and Huot, for copies of registers of baptisms, marriages, and burials, of District of Quebec, from 1681, (10) 84, (17) 109. Referred, (62) 350. Vide Records.

-----Petition of Municipal Council, District of Simcoe, for removal of Registry Office, (36) 211, (46) 259. Petition of Rev. Messire Ducharme, and others, County of Terrebonne, for removal of Registry Office, (75) 474, (84) 521. Petition of Rev. A. O. Giroux, and others, against the removal of same, (185) 1073, (191) 1119. Petition of F. H. Guay, and others, of Dorchester, for removal of Registry Office, (104) 644, (113) 714. Referred, (113) 717. Also, Petition of M. Scott, and others, (163) 946. Reported; Committed, (204) 1215. Considered, (243) 1451. Reported, (251) 1479. Vide below. Petition of M. Scott, and others, for establishment of Registry Office in Parish of St. Joseph de la Pointe Levi, (149) 861, (162) 943. Referred, (163) 946. Vide above. Petition of H. W. Barwick, and others, for removal of Registry Office of District of Brock, (149) 861, (162) 943. Petition of J. M'Callum, and others, for removal of Registry Office of County of Huntingdon, (199) 1168, (208) 1243. Petition of Louis Célestin Lefrançois, Registrar, Montmorency, that his salary be the same as other registrars, (33) 165, (37) 213.

-----Registrar's report of bonds and securities, laid before the House,

- (58) 339. Reports of Inspectors of certain Registry Offices, laid before the House, (103) 615. Printed, (250) 1477.
- House resolves to go into Committee to consider of amending Act 8 Vic., cap. 28, respecting registration in Island of Orleans; Considered, (200) 1199. Resolution reported and agreed to, (205) 1219. Vide below.
- Question concerning Lower Canada Registry Offices; Answer, 231.
- Bill to amend the Registry Laws of Upper Canada, presented and read, (34) 187. Read second time; Committed, (44) 248-249. Order postponed, (58) 318. Considered, (81) 499-502. Further consideration discharged; Bill referred, (98) 595. Reported, (169) 984-985. Committed, (169) 985. Considered, (185) 1058, (206) 1235, (212) 1257-1258. Printed, (187) 1079. Reported; Engrossed, (218) 1293. Passed, (218) 1313. By the Council, (250) 1477. Royal Assent, (345) 1954. (9 Vic., cap. 34.)
- Bill for removal of Registry Office, District of Simcoe, presented and read, (39) 217. Read second time; Committed, (53) 296. Order postponed, (81) 502-503. Considered; Reported; Referred, with an instruction, (149) 853. Reported; Committed, (151-152) 867. Considered; Reported; Engrossed, (182) 1046. Passed, (182) 1049-1050.
- Bill to remedy defects in registration of titles in County of Hastings, presented and read, (57) 314. Read second time; Committed, (92) 563. Order postponed, (155) 889. Considered, (167) 967, (175) 1015. Reported; Engrossed, (180) 1041. Passed, (182) 1049. By the Council, with amendments, (235) 1413. Agreed to, (240) 1442. Royal Assent, (255) 1502. (9 Vic., cap. 12.)
- Bill to amend Act, to detach Island of Orleans from County of Montmorency, for purposes of registration, presented and read, (205) 1219. Read second time; Committed; Considered, (243) 1450. Reported, (251) 1478-1479. Engrossed, (251) 1479. Passed, (251) 1494. By the Council, with amendments, (267) 1574. Agreed to, (271) 1602-1603. Royal Assent, (345) 1955. (9 Vic., cap. 44.)
- Bill for removal of Registry Office in County of Nicolet, presented and read, (231) 1388. Read second time; Engrossed, (305) 1790. Passed, (305) 1794. By the Council, (319) 1859. Royal Assent, (345) 1955. (9 Vic., cap. 57.)
- Bill for removal of Circuit Court and Registry Office in County of Yamaska, presented and read, (231) 1388.
- Petition of Joseph G. Barthe, for postponement of consideration of removal of Circuit Court and Registry Office in County of Yamaska, presented; Standing Rule dispensed; Read, (255) 1502. Printed, (288) 1703.
- Bill for separate Registry Office in County of Dorchester, presented and read, (251) 1479. Order of the Day read; House adjourned for want of a Quorum, (305) 1790. Read second time; Committed; Considered, (309) 1807-1808. Reported; Engrossed, (313) 1824. Passed, (315) 1846-1847. By the Council, (338) 1925. Royal Assent, (345) 1956. (9 Vic., cap. 45.)
- Bill from Legislative Council, to provide for safe keeping of books, records, papers, &c., in Registry Offices of Lower Canada, brought down, (259-260) 1524. Read first time, (260) 1524. Ordered for second reading, (266) 1572.

-----Bill to confirm certain Acts of registrars in Upper Canada, from Legislative Council, (266) 1574. Read first time, (267) 1574. Ordered for second reading, (267) 1575. Read second time, (290) 1730. Passed, (297) 1763. Royal Assent, (345) 1956. (9 Vic., cap. 32.)

-----Vide also, Couillard, Antoine Gaspard; Ryland, George H.; St. Louis De Lotbinière.

REID, JOHN, AND ROBERT SHEPHERD:--Entries of JOURNALS of last Session, on the Petition of, and the report of Committee thereon, read, (32) 149. House to resolve itself into Committee. Motion, (32) 149-151. Withdrawn Motion, (32) 151.

REVENUE AND EXPENDITURE:--Accounts and statements of public income and expenditure of Consolidated Revenue Fund of the Province for 1845, (56) 309. Referred, (70) 387-388. Instruction, (70) 388. Vide also, Public Accounts.

-----House resolves to go into Committee to consider of charging upon the Province, the Administration of Criminal Justice in Upper Canada, (200) 1170. Considered, (218) 1294-1305. Three Resolutions reported and agreed to, on division, (222-224) 1326-1354. Vide also Administration Of Justice.

-----Announcement to lay estimates on table, 1362.

-----Statement of probable revenue and expenditure of the Province during the year ending 31 Dec. 1846, with estimate for same year sent down, (229) 1383. Supplementary estimate for service of the present year, (312-313) 1822-1823.

-----Vide also, Addresses, To His Excellency, (54.); Supply.

RICE, ISRAEL:--Petition of, indemnity for services, (49) 276, (59) 342.

RICHARDSON, MAJ. JOHN:--Petition of, respecting his dismissal as Superintendent of Police on Welland Canal, (259) 1521, (264) 1566. Referred, (265) 1567. Report, (320) 1864. Motion to concur in report, negatived, (334) 1910-1913.

RIMOUSKI AND KAMOURASKA:--Petition of J. B. A. Chamberland, and others, that the said Counties be formed into a separate District, (93) 579, (105) 646. Referred, (151) 865, (219) 1314. Petition of Rev. Thomas Destroismaisons, and others, against, (202) 1212, (213) 1276. Referred, (213) 1276. Petition of Philippe Renouf, and others; of Louis Bertrand, and others; of Mayor and Councillors of the Municipality of Rivière du Loup, referred, (219) 1314. Report; Printed, (252) 1496.

-----Vide Addresses, To His Excellency, (67.)

RIMOUSKI COUNTY:--Petition of Louis Bertrand, and others; of Philippe ((or Philip)) Renouf, and others, to divide said County, for judiciary purposes, (99) 604, (112) 713. Petition of Mayor and Councillors of Municipality of Rivière du Loup, the same, (175) 1026, (186) 1075. Referred, (219) 1314. Vide Rimouski And Kamouraska.

RIORDEAN, DENNIS:--Petition of, for relief, (175) 1025, (186) 1075.

RITCHIE, MRS. LOUISE HELENE:--Petition of, for her rights to be protected in any Act to be passed respecting marriage contracts, (207) 1242, (218) 1313.

RIVER DELISLE:--Vide Addresses, To His Excellency, (71.)

RIVER DU CHENE:--Question concerning expenditure of money on erection of Rivière du Chêne Bridge; Answer, 333.

-----Question concerning money granted for erection of Rivière du Chêne Bridge; Answer, 1019.

-----Question concerning bridge over the Rivière du Chêne; Answer, 1454.

-----Vide Addresses, To His Excellency, (75.)

RIVER MOIRA:--Vide Mill Dams.

RIVER RICHELIEU:--Vide Addresses, To His Excellency, (32.)

RIVER ST. CHARLES:--Petition of Rev. George L. Lemoine, and others, for a new bridge across said river, (4) 10, (15) 105. Printed, (92) 560-563.

Petition of Capt. Joseph Bedard, and others, for purchase of Dorchester Bridge over said River, (10) 83, (16) 106.

-----Vide Addresses, To His Excellency, (31, 61.)

ROADS AND BRIDGES:--Petitions for indemnification: Of A. J. Wolff, on road between Metis and Lake Matapediac, (3) 6, (4) 11. Of Joseph Louis Héon, Arthabaska Road, (36) 211, (46) 260. Of William Duncan, bridge across River Delisle, (45) 257, (55) 306. Referred, (85) 522-523. Report, (248-249) 1469-1472. Committed, (249) 1472. Petitions for closing up a certain road in Township of Grantham: Of Municipal Council, District of Niagara, (36) 211, (46) 260. Of Robert Hodgkisson, and others, (45) 257, (55) 306. First Petition referred, (51) 280. The Petition of Thomas Willson, and others, also referred to same Committee, (105) 646-647. Report, (309-310) 1812-1813. Petition of Municipal Council, District of Niagara, respecting road allowances, (50) 277, (61) 345. Petition of Benjamin Bolton, and others, for new survey of road from Perth to Madawaska River, (44) 256, (54) 305. Petition of John Hall, and others, against alteration of road in Township of Dumfries, (45) 257, (55) 306. Referred, (105) 646. Vide Andrews, James K., And Others. Petitions for improvement of Simcoe Street: Of Christopher Coulthard, and others; of Irvine Johnston, and others; of Archibald M'Millan, and others, (99) 604, (112) 712. Of Archibald M'Fayden, and others, (162) 942, (176) 1027. Of William Caldwell, and others, (189) 1115, (203) 1213. Printed, (205) 1219. Petition of Rev. Antoine Parant, and others, that the Province purchase the bridge over Montmorency River, and the roads in said County be placed under the Trustees, (53) 302, (61) 346. Referred, (208) 1244. Vide Turnpike Roads. Petition of Hon. Gabriel Roy, and others, for extension of Ordinance 3 Vic., cap. 31, (58) 339, (70) 450. Referred, (72) 454. Vide Macadamized Roads. Of George W. Brooks, and others, respecting road near Sherbrooke, (76) 474, (84) 521. Of W. W. Becket, and others, the same, presented, (244) 1458. Standing Rule dispensed; Read, (245) 1461. Of William Gamble, and others, to incorporate Dundas Street and Sixth Line Road Company, (88) 539, (99) 606. Referred; Standing Rule dispensed, (105) 646. Report, (152) 867. Petition of R. C. Gapper, and others, for completion of road from Lake Ontario to Lake Huron, (237) 1433, (252) 1495. Petition of George Lount, and others, the same, (251) 1494, (263) 1563. Petitions referred, (252) 1495-1496, (265)

1567. Petition of Municipal Council, District of Simcoe, complaining that the grant of roads in said District has not been expended, (276) 1618, (282) 1670. Of James Wickens, respecting roads in Simcoe District, (282) 1669, (291) 1737.

-----Petitions for aid: Of George W. Foot, and others, road from Chatham to Dover, (3) 10, (15) 104. Of William Hall, and others, road from Tring to Leeds, (4) 11, (16) 105. Of Municipal Council, Eastern District, road from Matilda to Cornwall, (4) 11, (16) 106. Of Rev. J. B. Potvin, and others, bridges in Parish of Ste. Croix, (10) 84, (16) 107. Of John Moore, and others, road from Province Line to St. Francis; of Lieut. Col. P. J. Héroux, and others, road from St. Gregoire to Arthabaska; of Rev. Clovis Gagnon, and others, road from Stanfold to St. Francis, (10) 84, (17) 108. Of Pierre J. ((or I.)) Trépanier, and others, road in Parish of St. Stanislaus; of Jacques Légaré, and others, road in Parish of Ste. Foye, (15) 103, (37) 213. Of Municipal Council, Municipality of Ste. Anne de la Pocatière, (33) 165, (37) 213-214. Of Eden Colville, M.P.P., and others, bridge across River Chateauguay; of Thomas L. Croke, and others, road through Sarnia and Plympton; of George Brown, and others, road from Dundas to Owen's Sound, (36) 210, (45) 258. Of C. P. Huot, and others, bridge over "Rivière du Gouffre"; of Alexis Otisse, and others, roads in Parish of Baie St. Paul, (36) 210, (45) 259. Of Simeon Destroismaisons, and others, bridge over "Rivière du Gouffre"; of Gerald Alley, and others, road in Oro, (36) 211, (46) 259. Of Rev. J. B. Côté, and others, road from Métis to Matane, (37) 211, (46) 261. Of David Johnston, and others, (36) 211, (46) 260. Of William Robins, and others, road and bridge in Drummond, (41) 235, (50) 279. Of John Felton, and others, road from Sherbrooke to Stanstead, and also for bridge across River St. Francis, and road from Ireland to Quebec, (44) 256, (54-55) 305. Of Thomas Kains, and others, bridges and roads on the River Ottawa, (45) 257, (55) 306. Of Edward M'Knaughton ((or M'Naughton)), and others, road in Ste. Anne and other parishes, (49) 276, (60) 343. Member added to Committee, (62) 349. Instruction to Committee, (95) 584. Petition, printed, (120) 734. Of Pierre Bellivau, and others, bridge over Grand River in Gaspé, (49) 276, (60) 343. Of William Charles Hume, and others, road in Orillia, (53) 302, (61) 347-348. Of David Trudel, and others, bridge over River Champlain, (54) 303, (61) 347. Of James Blackburn, and others, road in County of Aylmer, (54) 303, (61) 348. Of Thomas Steel, and others, bridge across River St. Francis, (58) 340, (71) 452. Of Christopher Lyster, and others, Quebec Road, (59) 341, (71) 454. Of Lieut. Col. Cox., and others, bridges and St. Francis Road, (59) 341, (71-72) 454. Of John Parson, and others, road and bridges on the Ottawa River, (59) 341, (72) 454. Of François X. Lambert, and others, road in District of Three Rivers; of John A. Gemmill, and others, road from Brockville, (67) 380, (76) 475. Of William Dawson, and others, road from Point Levi to Kennebec; of J. O. Chevrefils, and others, bridges in County of Yamaska, (70) 450, (83) 519. Of Rev. Messire Lamarre, and others, roads in Ste. Jeanne de l'Isle Perrot, (75) 474, (84) 520. Of Hon. R. U. Harwood, and others, of Vaudreuil, for road and bridges to Montreal, (82) 513, (93) 579-580. Instruction to Committee, (95) 584. Petition, printed, (120) 734. Of Jean Baptiste

Rousseau, and others, Lambton Road, (82) 513, (93) 580. Of Peter Adams, and others, road from Point Cardinal to Hick's Corner, (82) 514, (94) 582. Of John Gibson, and others, road in District of Newcastle, (82) 515, (94) 583. Of John Tipping, and others, road in Orillia; of Chester Draper, and others, road in Township of Reach; of Peter Perry, and others, road in Township of Reach, (88) 540, (99) 605. Latter Petition, printed, (205) 1219. Of John Laing, and others, road in Township of Matilda, (93) 579, (105) 645. Of Joseph Hudon, and Jean Baptiste Martin, road to State of Maine; of Joseph Ouellet, and others, road from Trois Pistoles to Temiscouata, (93) 579, (105) 646. Of Joseph Smith, and others, road from Province Line to Compton, (93) 579, (105) 646. Of Richard Griffith, and others, roads in County of Ottawa, (99) 604, (112) 713. Of A. A. Adams, and others, road from Montreal to Province Line, (104) 644, (113) 714. Of O. Dorman, and others, road in Township of Potton, (111) 711, (142) 829. Of L. E. Globensky, and others; of William Morrin, and others, road in County of Two Mountains; of Hosea Shaw, and others, road from Windsor to Sturgeon Bay, (139) 788, (150) 863. Of James Hamilton, and others, road in County of Huron, (139) 788, (151) 864. Of William Parks, and others, road in County of Two Mountains, (142) 827, (158) 911. Of Cyprien LeBel, and T. ((or F.)) H. Pinet, road to River St. John; of T. Charles Chapais, in St. Denis de la Bouteillerie, (150) 861, (162) 944. Of Archibald Campbell, and others, roads in vicinity of Quebec, (182) 1049, (190) 1116. Vide Turnpike Roads. Of James Bird, and others, bridge across Otonabee River, (189) 1115, (203) 1213. Of J. B. Barnardin, and others, road in District of St. Francis, (218) 1313, (233) 1406. Of William Smyth, and others, road from Bytown to River St. Lawrence, (218) 1313, (233) 1407. Of Henry Burritt, and others, respecting last Petition, (218) 1313, (233) 1407. Of Rev. C. T. Caron, and others, Parish of St. Martin, (232) 1406, (245) 1461. Of Lachlin Stewart, and others, Cornwall and L'Orignal Road, (276) 1618, (282) 1669.

-----Petitions referred, (38) 214, (62) 349, (95) 584, (106) 647-648, (191) 1119-1120.

-----Question concerning maintenance of road from London to Chatham and Sandwich; Answer, 637.

-----To construct a road between Cornwall and L'Orignal. Postponed, Motion, 934.

-----Question concerning Dundas and Waterloo Road; Answer, 1019.

-----Bill to prevent opening allowance for roads without an order from the Municipal Council, presented and read, (92) 558. Ordered for second reading, (155) 889. Read second time; Engrossed, (167) 967. Passed, (168) 982. By the Council, (196) 1153. Royal Assent, (254-255) 1501. (9 Vic., cap. 8.)

-----Question concerning Ministry's intention to make appropriations for the road from Kingston to Ottawa; No Answer, 1616.

-----Vide also, Addresses, To His Excellency, (23, 25, 81, 82.); Andrews, James K., And Others; Cornwall Town; Expiring Laws; Ferries; Macadamized Roads; Plank Roads; Railroads; River St. Charles; St. Michel Road; Surveying; Suspension Bridge; Turnpike Roads; Welland Canal.

ROGERS, JOHN FRANCIS:--Petition of, indemnity for services, (58) 340, (71) 453.

RULES:--Vide Orders.

RYLAND, GEORGE H.:--Petition of, for relief against the Government, (59) 341, (72) 454. Referred, (73) 457. Report, (109-110) 655-657. Printed; Committed, (110) 657. Last Order discharged, (198) 1157. Motion to concur in report, negatived, on division, (198) 1157-1162. Vide Addresses To Her Majesty, (7.) Petition from the same, and others, for relief as registrar in the District of Montreal, (82) 515, (94) 582.

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SAGUENAY COUNTY:--Message from His Excellency, respecting fire in said County, (220-221) 1322. Vide Addresses, To His Excellency, (74.)

SAGUENAY TERRITORY:--Questions concerning colonization of the Saguenay; Answer, 438-439.

-----House resolves to go into Committee to consider of means to facilitate the settlement thereof, (221) 1323. Vide also Addresses, To His Excellency, (48.); Lumber; Pilots; Real Estate.

ST. GEORGE'S SOCIETY:--Petition of John Charlton Fisher, L.L.D., Quebec, for Act of Incorporation, (50) 278, (61) 345-346.

-----Bill to incorporate St. George's Society of Quebec, presented and read, (145) 838. Read second time, (184) 1055-1056. Referred, (184) 1056. Reported, (219) 1315. Committed, (252) 1497.

ST. HYACINTHE:--Vide Colleges; Hospitals.

ST. JORRE, MICHEL HONORE:--Petition of, for arrears due by Municipal Council of Kamouraska, (150) 861, (162) 944.

ST. LAWRENCE:--Vide Gulf Of St. Lawrence.

ST. LAWRENCE AND ATLANTIC RAILROAD:--Vide Railroad, St. Lawrence And Atlantic Railroad.

ST. LAWRENCE CANAL:--Return to Addresses, To His Excellency, (29.), referred, (293) 1751. Report, (333) 1908-1909. Vide also, Addresses, To His Excellency, (94.)

ST. LOUIS DE KAMOURASKA:--Petition of Cyprien LeBel, and T. ((or F.)) H. Pinet, for establishment of Court of Justice, in said Parish, (150) 861, (162) 944.

ST. LOUIS DE LOTBINIERE:--Petition of Jean Villers, and others, that the Circuit Court and Registry Office, be held in the Parish of Lotbinière (99) 605, (112) 714. Referred, (139) 789. Vide Registration.

-----Bill to remove place of holding Circuit Court and Registry Office in County of Lotbinière, presented and read, (187) 1077. Read second time; Engrossed, (236) 1423. Passed, (237) 1433. By the Council, (267) 1574. Royal Assent, (274) 1611. (9 Vic., cap. 25.)

ST. MAURICE FORGES:--Vide Addresses, To His Excellency, (76.)

ST. MICHEL ROAD:--Petition of John Dods, President of said Road, for relief, presented, (276) 1618. Standing Rule dispensed; Read, (277) 1621.

ST. PATRICK'S SOCIETY:--Petition of Hon. Francis Hincks, and others, of Montreal, for Act of Incorporation, (50) 277, (60) 345. Referred, (62) 349. Report, (100) 607. Vide below.

-----Bill to incorporate St. Patrick's Society, presented and read, (110) 659. Read second time; Referred, (180) 1042. Report, (209) 1246.

ST. PETER:--Vide Lake St. Peter.

ST. ROCH DES AULNETS:--Petition of F. M. Soulard, and Amable Morin, for aid to finish a wharf in said Parish, (142) 827, (158) 911.

STE. THERESE DE BLAINVILLE:--Vide Colleges.

SALT:--Vide Duties.

SCUGOG AND NARROWS ROAD:--Vide Addresses, To His Excellency, (81.)

SEELYE, JAMES:--Petition of, to be placed on the pension list, (150) 861, (162) 944.

SEIGNORIAL:--Vide Feudal Tenure.

SEIZURES:--Vide Addresses, To His Excellency, (98.); Smuggling; Supply.

SERGEANT-AT-ARMS:--Vide Deputy Sergeant-At-Arms; Officers And Servants Of The House.

SESSIONAL ALLOWANCE:--That the sessional allowance and mileage to Members be the same as last Session, £100 to each Member, for the Session, and one shilling for every mile of travel, (321) 1865-1866. Vide Addresses, To His Excellency, (100.)

SHAW, GEORGE:--Petition of, that his late father's reward for military services, be guaranteed to him, (49) 277, (60) 344-345. Referred, (163) 946.

SHEFFORD ACADEMY:--Petition of Stephen S. Foster, and others, for aid, (41) 235, (50) 278.

SHENSTON, THOMAS S.:--Petition of, for relief, (82) 513, (93) 580.

SHERBROOKE ACADEMY:--Petition of William Ritchie, and others, for aid to said Institution, (54) 303, (62) 348.

SHERBROOKE COTTON FACTORY:--Vide Manufactures.

SHERIFFS:--Bill to regulate the poundage received by Sheriffs, presented and read, (96) 588. Ordered for second reading, (136) 777. Read second time; Committed, (181) 1044. Considered, (274) 1611. Reported; Engrossed, (279) 1628. Passed, (282) 1669. By the Council, (296) 1758. Royal Assent, (345) 1955. (9 Vic., cap. 56.)

-----Bill to enable Sheriffs in Lower Canada to make judicial sales by licitation, presented and read, (144) 833. Read second time; Referred, (184) 1055.

-----Bill for protection of Sheriffs, presented and read, (196) 1151.

SHERWOOD, SOL. GEN. HENRY:--Resolutions presented concerning Mr. Roebuck's statements in the British House of Commons on Sol. Gen. Henry Sherwood, 1940-1947. Withdrawn Motion, 1947.

SHIP BUILDERS:--Petition of Hypolite Dubord, and others, for protection, (162) 942, (176) 1027.

SIMCOE, DISTRICT OF:--Vide Registration.

SIMCOE STREET:--Vide Roads And Bridges.

SIMPSON, JOSEPH:--Vide Addresses, To His Excellency, (46.)

SMUGGLING:--Bill for prevention of, presented and read, (289) 1705-1706. Read second time; Engrossed, (307) 1800. Passed, (309) 1812. By the Council, (330) 1897. Royal Assent, (345) 1955. (9 Vic., cap. 31.)

SPEAKER:--Reports certificates of the Clerk of the Crown in Chancery, agreeably to writs, (1) 1-2.

-----Reports His Excellency's Speech at the opening of the Session, (2) 3-4.

-----Reports His Excellency's Answer to Addresses, (9) 80, (33) 165, (88) 538, (90-91) 548-551, (175) 1025.

-----Reports Messages From His Excellency, (11-14) 89-96, (21-31) 122-146, (43-44) 246-248, (81) 498, (85) 523-524, (90-91) 548-551, (108) 652, (114) 719, (120-135) 736-771, (187) 1079-1080, (210) 1252-1253, (212) 1268, (215-217) 1288-1292, (220-221) 1322, (227-229) 1379-1383, (229) 1383, (242) 1447, (260) 1557, (303) 1786, (312-313) 1821-1823, (338) 1925, (344) 1954.

-----Lays before the House certain reports and other documents: State of library, (9-10) 80-83. Trinity House, Quebec, (10) 83. Report of Commissioners: Oxford Contested Election; Affairs of Champlain and St. Lawrence Railroad, (14) 102. Trinity House, Montreal; Baptist Missionary Property, (44) 255. Affairs of Sherbrooke Cotton Factory; Reports of Agricultural Societies of Upper and Lower Canada, (49) 276. Report of Commissioners on West Halton Contested Election, (53) 297. Returns of debts and liabilities, Municipal Councils, Lower Canada; Registrars' report of bonds and securities; Montreal Turnpike Roads, (58) 339. Affairs of St. Lawrence and Atlantic Railroad, (66-67) 378-379. Report of Quebec Library Association, (67) 379-380. Report of insane and foundlings (Soeurs Grises), Montreal; and report of insane and invalids, Quebec, (67) 380. Report of Commissioners on Middlesex Contested Election, (88) 538. Accounts of Supervisor of cullers; Property of Mechanics' Institute; Affairs of Banks and Insurance Companies, (88) 539. Distribution of statutes of first Session, second Parliament, (251) 1494.

-----Gives his casting vote on dissolving Committee on Oxford Election, (33) 158. On adjournment, (98) 598. On postponement of Orders of the Day, (259) 1514. On report of library, (310) 1816.

-----On his decisions, (52) 289-290.

-----Addresses the House to be relieved for the present from his duties as Speaker, (83) 515-516. Leave of absence granted, (83) 516-517. The Hon. Augustin Norbert Morin to supply the place of the Speaker during his absence, (83) 517-518. Address to His Excellency thereon, (87) 529-531. His Excellency answers in person, (87) 538. Sir Allan Napier MacNab resumes the Chair of the House as Speaker, (259) 1523-1524.

-----Admonishes Commissioners on West Halton Contested Election, (141) 799. On Middlesex Election, (157) 908.

- To issue new writ for a new Member to serve in place of James Johnston, (244) 1458.
- Reports Royal Assent to Bills, (254) 1500-1502, (273-274) 1610-1611, (344-345) 1954-1956, (346) 1958.
- Leaves the Chair from illness, (260) 1549. Letters communicating continuance of illness, (260) 1555, 1556.
- To issue new writ for a new Member to serve in place of John P. Roblin, (266) 1571.
- Leaves the Chair till half-past three, by the desire of the House, ((278)) 1625-1626.
- The sum of £250 to be paid from Contingencies to Hon. Augustin Norbert Morin for his services as Speaker, pro tem, (321) 1865-1866. Vide Addresses To His Excellency, (100.)
- Reports prorogation, (342) 1937.
- To report next Session on system pursued in House of Commons respecting Private Bills, (344) 1951.
- Reports Bills reserved for Her Majesty's pleasure, (345-346) 1956.
- His Speech on presenting certain money Bills at close of the Session, (346) 1956-1958.

SPEECH:--Opening Speech of Parliament, read, (2) 3-5.

-----Read, on Kingston and Ottawa Road, (272) 1604-1605.

-----Vide Governor General; Roads And Bridges; Speaker.

SPIRITUOUS LIQUORS:--Vide Duties.

SPRUEN, T.:--Petition of, for compensation for services as school teacher, of Royal Institution at Gaspé, (14) 102, (37) 211-212.

STANDING ORDERS:--Standing Committee appointed on, (38) 216, (41) 235.

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-----Orders of the Day to be taken up according to precedence originally held, (135) 773.

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STANSTEAD SEMINARY:--Petition of Ichabod Smith, and others, for aid, (82) 514, (94) 582.

STATUTES:--Distribution of last Session, (251) 1494.

STEAM ENGINES:--Vide Fires.

STEWART, D. S.:--Question concerning conduct of, Inspector of licenses; Answer, 1454.

STILLS:--Vide Duties.

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STRICKLAND, JOHN:--Petition of, for compensation for injury by Board of

Works, (189) 1115, (203) 1213. Referred, (203) 1214.

STUART, SIR JAMES:--Vide Addresses, To His Excellency, (17.)

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SUPERVISORS:--Vide Lumber.

SUPPLIES TO HER MAJESTY'S TROOPS:--Vide Duties.

SUPPLY:--House resolves to go into Committee to consider of the supply to be granted to Her Majesty. Notice of Motion, 159. Motion, (49) 272. Order postponed, (152) 869. Motion, (295) 1753. Matters referred: His Excellency's Speech at opening of Session relating thereto, (58) 318. Message on accommodation of Superior Courts in Upper Canada, (232) 1389. Vide Osgoode Hall. Message on Lunatic Asylum, Toronto; and Message on £19,000, improvement of Gulf of St. Lawrence, (266) 1571. Message on salary to Hon. Louis Joseph Papineau, (271) 1602. Estimates of supply for 1846, and Messages of His Excellency relating thereto; also Message of His Excellency on indemnity for losses during rebellion in Lower Canada, with fourth and fifth reports of the Commission, (295) 1753. Supplementary estimate, (313) 1826.

-----Subjects considered, (58) 318-331, (92) 563-564, (218) 1293-1294. Resolution presented, (232) 1390. Amendment, agreed to, on division, (232) 1390-1391. Main Motion, agreed to, (232) 1391. Considered, (232) 1391-1400. Resolution respecting Civil List, (251) 1479-1487. Four Resolutions reported, (Civil List Schedule A, B.), (255-257) 1503-1504, 1505, 1506. First thirteen items agreed to, on division, (257) 1504-1507. Amendment to fourteenth item, negatived, on division, (257) 1507-1508. Fourteenth to seventeenth items agreed to; Amendment to third Resolution, negatived, on division; Third and fourth Resolutions agreed to, (257) 1508. Vide below. Again considered, (281) 1644-1656. Resolution reported, on Jesuits' Estates, (284-285) 1674-1675. Question of concurrence put, (285) 1675. Amendment to Resolution, negatived, on division, (285) 1675-1676. Second amendment, negatived, on division, (285) 1676. Resolution and Schedule, read and agreed to, on division, (285-286) 1676-1677. Vide Jesuits. Again considered, (287) 1681. Seven Resolutions reported and agreed to: On Seizures; Law Society, Upper Canada; Court of Queen's Bench; Public lands; Light houses; Lunatic asylum, Toronto; Hon. Louis Joseph Papineau, (288) 1704-1705. Again considered, (289) 1707-1711. Resolution reported and agreed to, importation of live stock from United States, (289-290) 1711-1712. Question of concurrence, agreed to, on division, (290) 1712-1713. Committee appointed to draft an Address to Her Majesty on said Resolution, (290) 1713. Vide Addresses To Her Majesty, (14.) Again considered, (319) 1856-1859. One hundred and fifty-eight Resolutions reported, (322-330) 1870-1887. Certain Resolutions agreed to, (330) 1887. Others re-committed, on division, (330) 1887-1889. Remaining Resolutions agreed to, (330) 1889. House again in Committee on supply, (330) 1889-1897. Five Resolutions reported and agreed to, on division, (336) 1917-1920.

-----Bill for granting a Civil List to Her Majesty, presented and read, (257) 1509. Read second time, (307) 1800-1802. Motion to engross Bill; Amendment, agreed to; Main Motion as amended, agreed to; Com-

mitted, (307) 1802. Motion for instruction to Committee, agreed to, (313-314) 1826-1827. Committed; Considered, (314) 1827. Reported; Engrossed, (318) 1856. Motion that the Bill do pass, (321) 1867. Motion for amendment, negatived, on division, (321) 1867-1868. Passed, on division, (321) 1868. By the Council, (340) 1932. Reserved for Her Majesty's pleasure, (347) 1958.

-----Bill to defray certain expenses of the Civil Government, for the year 1846, and certain other expenses not otherwise provided for, presented and read; Standing Rule dispenses; Read second time; Engrossed, (337) 1921. Passed, (338) 1924. By the Council, (344) 1952. Royal Assent, (346) 1958. (9 Vic., cap. 63.)

-----Resolutions concerning Imperial Government's right to raise money from Canada, postponed, 1362.

-----Bill to authorise the raising of the remainder of the loan, guaranteed by the Imperial Parliament, presented and read; Standing Rule dispensed; Read second time; Engrossed, (337) 1921. Passed, (338) 1924. By the Council, (344) 1952. Royal Assent, (346) 1958. (9 Vic., cap. 64.)

-----Question concerning the Act relative to public works; Answer, 571.

-----Bill for raising on credit of Consolidated Revenue Fund, a sum required for certain public works, presented and read; Standing Rule dispensed; Read second time; Engrossed, (337) 1921. Passed, (338) 1924. By the Council, (344) 1952. Royal Assent, (346) 1958. (9 Vic., cap. 66.)

-----Vide Imperial Government.

SURGERY:--Vide Medicine And Surgery.

SURVEYING:--Petition of Clements Bradley, and others, for permanent establishment of the line surveyed in 1837, in Township of Gloucester, (36) 210, (45) 258. Vide Gloucester Township. Petition of Norman Jones, and others, for measures to remove difficulties respecting original surveys, (44) 256, (55) 305. Referred, (143) 829. Petition of Robert Stobo, and others, for survey of road, in Ramsay and Pakenham, (82) 514, (94) 582. Petition of Milo M'Cargar, and others, for adoption of survey of a road in South Gower, (149) 861, (162) 944. Petition of Hyacinthe St. Germain, and others, for adoption of survey of a road through St. Martins, (149) 861, (162) 944. Petition of John Earle ((or Earele)), and others, for establishment of a survey for road through St. Eustache to Grenville, (162) 942, (176) 1027. Petition of Thomas Proul, and others, that stone monuments be planted on the original survey, (189) 1115, (203) 1213.

-----Vide also, Addresses, To His Excellency, (55, 80, 82.); Bay Of Quinte; Board Of Works; Boundary Line; Geological Survey; Hillier Township; Morgan, Thomas; Roads And Bridges.

SUSPENSION BRIDGE:--Petition of Samuel De Veaux, and others, for construction of such a bridge across the River Niagara, at the Falls, (36) 210, (46) 260. Referred, (46-47) 261. Report, (56) 309. Vide below.

-----Bill to erect an international bridge, at or near the Falls of Niagara, presented and read, (69) 384. Read second time; Committed, (149) 855. Considered, (181) 1045. Reported; Engrossed, (184) 1055.

Passed, (186) 1074-1075. By the Council, (260) 1524. Reserved for Her Majesty's pleasure, (346) 1956.

SYDENHAM DISTRICT:--Petition of James Blackburn, and others, to secure claims against Municipal Council of said District, (262) 1562, (277) 1620.

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TASCHEREAU, MR. P. E.:--Vide District Of Quebec Circuit Judge.

TAVERN LICENSES:--Petition of L. M. Cressé, and others, of the Parish of St. Jean Baptiste de Nicolet, that moneys proceedings from said licenses be paid to the treasurer of said Parish, (218) 1313, (233) 1406. Referred, (259) 1521.

TAYLOR, JAMES:--Petition of, for payment of amount for labor on London and Chatham Road, (59) 341, (71) 453-454.

TAXES:--Petition of Municipal Council, District of Simcoe, for power to levy a tax on wild lands in said District, (4) 10, (15) 104. Also, three Petitions from the same on subject of taxes, (36) 211, (46) 259. Petition of Municipal Council, District of Niagara, to exempt said District from tax on ratable property, (4) 10, (15) 104. Referred, to report by Bill or otherwise, (17) 111. Bill presented and read, (39) 216-217. Read second time; Engrossed, (53) 296. Passed, (54) 304. By the Council, (80) 486. Royal Assent, (254) 1501. (9 Vic., cap. 50.)

-----Bill to recover certain rates or taxes in the Huron District, presented and read, (69) 386. Read second time; Engrossed, (92) 564. Passed, (93) 579. By the Council, with amendments, (196) 1153. Agreed to, (197) 1154-1155. Royal Assent, (254) 1501. (9 Vic., cap. 18.)

-----Motion to tax public officers' salaries; Withdrawn Motion, 699.

-----Bill to exempt property of the Crown from rates and taxes, presented and read, (252) 1496.

-----Vide also, Assessments; Banks.

TEED, MRS. ELEANOR:--Petition of, for justice to the memory of her late husband, (50) 278, (61) 346. Referred, (62-63) 350. Petition of Adolphus Jacques, also referred, (113) 717. Report, (339-340) 1930-1931, (340) 1931.

TEMPERANCE:--Petition of Municipal Council, District of Niagara, for suitable accommodation for travellers in such houses, (36) 211, (46) 260. Referred, (51) 280. Report, (88) 540. Vide below.

-----Petition of John Roaf, and others, to restrain the traffic in intoxicating liquors, (189) 1115, (203) 1213. Petition of John Richards, and others, the same, (244) 1458, (252) 1495.

-----Bill to regulate temperance houses in Upper Canada, presented and read, (88) 540. Read second time; Committed, (136) 774. Considered; No Report, (180) 1043.

TENURE:--Vide Commutation Of Tenure.

THREE RIVERS, MUNICIPALITY OF:--Petition of P. B. Dumoulin, and P. E.

Vezina, that the revenue and management of the Common be placed under the control of said Municipality, (3) 7, (4) 12.

-----Question concerning the Ministry's intention to grant a salary to the Commissioner of Bankrupts for the District of Three Rivers;

Answer, 1664.

-----Vide Addresses, To His Excellency, (88.)

THREE RIVERS, TOWN OF:--Vide Elections, Writs Issued During The Recess; Ice Bridges.

TIRAGE AU SORT:--Bill to fix the rights of buyers and sellers by tirage au sort in Lower Canada, presented and read, (214) 1277.

TOBACCO:--Vide Duties.

TOLLS:--Petition of Jacques Légaré, and others, for removal of toll-gate between Carouge and Kilmarnock Roads, (15) 103, (37) 213. Referred, (38) 214. Vide Turnpike Roads. Petition of William Hannah, and others, exemption from toll on Montreal and Lachine Road, (41) 235, (50) 279. Referred, (50) 279. Vide Macadamized Roads. Petition of J. T. Brondgeest, and others, for removal of toll-gate at Hochelaga, (53) 302, (61) 346. Referred, (168) 983. Vide Macadamized Roads. Order postponed, (180) 1043. Petition of John Dillon, and others, for removal of Trustees from toll road leading to Montreal, (54) 303, (61) 348. Referred, (100) 606. Vide Macadamized Roads.

-----Vide also Addresses, To His Excellency, (47, 58.); Welland Canal.

TORONTO AND LAKE HURON RAILROAD:--Vide Railroad, Toronto And Lake Huron.

TORONTO BOARD OF TRADE:--Vide Duties; Postage.

TORONTO HARBOR:--Vide Addresses, To His Excellency, (65.); Harbours.

TORONTO HOSPITAL:--Vide Hospitals.

TORONTO HOUSE OF INDUSTRY:--Petition of Rt. Rev. Lord Bishop of Toronto, and others, for aid, (155) 896, (163) 945.

TORONTO INCORPORATION:--Petition of Corporation, for amendments to Acts relating thereto, (82) 513, (93) 580.

-----Bill to amend Act of Incorporation, presented and read, (152) 868.

Read second time; Referred, (189) 1105. Reported; Committed, (219) 1314-1315. Considered, (291) 1732, (296) 1756-1757. Reported; Engrossed, (302) 1776. Passed, (303) 1786. By the Council, with amendments, (330) 1898. Agreed to, (334) 1913-1914. Royal Assent, (345) 1955. (9 Vic., cap. 70.)

TORONTO LUNATIC ASYLUM:--Message from His Excellency, Vide Governor General, Messages From His Excellency, (21.)

-----Bill to authorize debentures for erection of Lunatic Asylum at Toronto, presented and read, (289) 1705. Read second time; Engrossed, (314) 1828. Passed, (315) 1847. By the Council, (338) 1925. Royal Assent, (346) 1958. (9 Vic., cap. 61.)

-----Vide also, Rees, William; Supply.

TORONTO MECHANICS' INSTITUTE:--Petition of Thomas Gibbs Ridout, and others,

for Act of Incorporation, (58) 340, (71) 451. Referred, (100) 606. Reported, (176) 1028. Vide below. Petition of Thomas Gibbs Ridout, and others, for aid, (156) 897, (163) 946.

-----Bill to incorporate Toronto Mechanics' Institute, presented and read, (176) 1028. Read second time; Referred, (198) 1163. Reported; Committed, (234) 1410.

-----Vide also, Law Society, Toronto; Railroads.

TOUSIGNANT, M. NOEL:--Petition of, that he may be commissioned a Lieutenant, (99) 605, (112) 713. Referred to Committee on Militia Bill, (234) 1408. Vide Militia.

TOWNSHIP COUNCILS:--Petition of Municipal Council, District of Wellington, for establishment of Township Councils, (4) 10, (15) 105.

TRADE AND COMMERCE:--Vide Addresses, To Her Majesty, (2, 3, 6, 8, 14.);
Addresses, To His Excellency, (26.); Duties; Navigation.

TRAFALGAR AND ERIN ROAD:--Vide Macadamized Roads.

TRANSLATION OF BILLS INTO FRENCH:--Vide French Language.

TRENT RIVER FLOOD LOSSES:--Question concerning Ministry's intention to make provision for losses sustained by overflow of the Trent River; Answer, 571.

TRIAL BY JURY:--Vide Juries.

TRINITY HOUSES:--Accounts of Trinity House, Quebec, for the year ending 31 December 1845, laid before the House, (10) 83. Accounts of Trinity House, Montreal, for 1845, laid before the House, (44) 255.

-----Petition of Jacques Blais, and others, for repeal of part of Act relating to Trinity House, Quebec, (49) 277, (60) 345. Petition of Robert Julyan, that his duties be defined at the Trinity Board, Quebec, (142) 827, (158) 911.

-----Return to Addresses, To His Excellency, (46.), presented, (153-154) 883-886. Referred, (154) 886. Report, (208) 1244-1245. Vide Pilots.

-----House resolves to go into Committee to consider of repealing Acts relating to Trinity Houses of Quebec and Montreal, (69) 385. Considered, (69) 385-386. Resolution reported and agreed to, (74) 460-461. Vide below.

-----Bill to consolidate the Laws respecting Trinity House, Quebec, presented and read, (74) 461. Order for second reading postponed, (111) 695-696, (149) 855-856. Motion for second reading, (152) 869-879. Amendment, negatived, on division, (152-153) 879-881. Main Motion carried, on division; Bill referred, on division, (153) 882. Motion for instruction to inquire into establishing a school for navigation at Quebec, (153) 882-883. Instruction, (160) 920. Further instruction, (160-161) 920-921, (196) 1151. Reported, (245) 1462-1463. Vide below. Petition of Pierre Curodeau, and others, for amendments in said Bill; of Mayor and Councillors, Quebec, the same, (142) 827, (158) 911. Petition of Pierre Curodeau, and others, referred, (191) 1119. Petition of Quebec Board of Trade, the same, (202) 1212, (213) 1276.

-----Bill to consolidate the Laws relating to Trinity House, Montreal, presented and read, (74) 461. Read second time; Referred, (154) 886-

887. Also referred, Petition of Pierre Pagé, (158) 912. Petition of Pierre Pagé, and others, for amendments in said Bill, (142) 827, (158) 911. Referred, (158) 912. Vide above. Reported, (246) 1463. Vide below.

-----Bill to amend the Laws relating to Trinity House, Quebec, presented and read, (246) 1463. Order for second reading not read for want of Quorum, (259) 1514-1515. Read second time, (318-319) 1856. Committed; Considered, (319) 1856. Reported; Engrossed; Passed, (322) 1870.

-----Bill to continue the Law relating to Trinity House, Montreal, presented and read, (246) 1464.

-----Vide also, Addresses, To His Excellency, (46.); Expiring Laws; Pilots.

TURGEON, CHARLES:--Petition of, to be paid certain claims, (232) 1406, (245) 1460.

TURNPIKE ROADS:--Petition of Toussaint Méloche, and others, that a road from L'Abord à Plouffe to Ste. Geneviève, be placed under the control of the Commissioners of turnpike roads, (4) 10, (15) 105. Referred, (17) 110. Vide Macadamized Roads. Of Rev. P. Roy, and others, that the road from Ste. Claire to La Jeune Lorette, the same, (10) 83, (16) 106. Referred, (33) 166. Vide below. Of A. Sauvageau, and others, for turnpike road from Laprairie to the Province Line, (10) 83, (16) 107. Of M. F. Valois, and others, for extension of Lachine Turnpike Road, to Ste. Anne, (10) 84, (16) 108. Referred, (41) 236. Vide Macadamized Roads. Of Jean Baptiste Lebel ((or Le Bel)), and others, that the roads in Parishes of La Misère, St. Ambroise, and La Jeune Lorette, be placed under the control of the Turnpike Trustees, (54) 303, (61) 347-348. Referred, (62) 349. Vide below. Petitions against extension of provisions to Trustees of Longueuil and Chambly Turnpike Road: Of George Perry, and others; of Municipal Council, Hochelaga; of William Giroux, and others, (82) 513, (93) 580. Petition of Jean Baptiste Pagé, and others, for amendment to Quebec Turnpike Road Act, (10) 83, (16) 106. Referred, (33) 166. Vide Legislative Council, Messages To. Also Petition of Rev. P. Roy, and others, referred, (33) 166. Also Petition of Jacques Légaré, and others (roads); of Jacques Légaré, and others, (toll-gate), (38) 214. Also Petitions of Jean Baptiste Lebel, and others, (62) 349. Hon. Henry Black, and others, (62) 349. Also Return to Address on Quebec Turnpike Roads, (110) 659. Also Petition of Ferdinand Murphy, and others, (158) 912. Also Petition of Archibald Campbell, and others, (191) 1119-1120. Also Rev. Antoine Parant, and others, (208) 1244. Petition of Trustees of Montreal Turnpike Roads, presented; Standing Rule dispensed; Read; Referred, (242) 1445. Report, (246-248) 1464-1469. Printed; Committed, (248) 1469. Considered, (289) 1706. Resolutions reported and agreed to, (295-296) 1755-1756. Vide below. Petition of N. B. Desmarteau, and others, for amendments to Montreal Turnpike Act, (59) 341, (72) 454. Petition of William Evans, and others, the same, (82) 515, (94) 583. Referred, (73) 457, (95) 583. Vide Macadamized Roads. Committee dissolved, and Petition of N. B. Desmarteau, and others, again referred, (164) 947. Vide Macadamized Roads. Petition of Trustees Montreal Turnpike Roads, for amendments to the Act, (244) 1458, (252) 1495. Petition of E. Desbarats, and others, for authority

to borrow a certain sum, for improvement of Quebec Turnpike Roads, (202) 1212, (213) 1276. Petition of Messrs. Hamilton and Low, on subject of Montreal Turnpike Trusts Bill, presented, (276) 1618. Standing Rule dispensed; Read, (277) 1621.

-----Accounts of Trustees of Montreal Turnpike Roads, for the year 1845, laid before the House, (58) 339. Referred, (81) 498. Vide Macadamized Roads. Return to Addresses, To His Excellency, (19.), on Quebec Turnpike Trusts, (101) 610. Referred, (110) 659. Vide above.

-----Bill to extend provisions of Law relative to Turnpike Roads in neighbourhood of Montreal, presented and read, (212) 1257. Read second time; Engrossed, (274-275) 1613. Passed, (276) 1619. By the Council, (290) 1730. Royal Assent, (345) 1955. (9 Vic., cap. 67.)

-----Question concerning Ministry's intention to give further loans for the Quebec Turnpike Roads; Answer, ((289)) 1706.

-----Bill to amend Act relating to Turnpike Roads near Quebec, presented and read; Standing Rule dispensed, (296) 1756. Read second time; Committed; Considered, (304) 1789. Reported; Engrossed, (307) 1800. Passed, (309) 1811. By the Council, (330) 1897. Royal Assent, (345) 1955. (9 Vic., cap. 68.)

-----Vide also, Addresses, To His Excellency, (19.); Macadamized Roads; Tolls.

U

UNITARIANS:--Petition of Rev. W. Adam, and others, for same privileges as other religious bodies in the Province, (10) 83, (16) 107. Referred, (55) 307. Report, (68) 381-382. Vide below.

-----Bill for their relief in Toronto, presented and read, (69) 385. Read second time; Engrossed, (149) 855. Passed, (150) 862-863.

UNIVERSALISTS:--Petition of Rev. A. G. Laurie, and others, to enjoy the same privileges as other Christian bodies, (36) 211, (46) 260. Of Rev. David Leavitt, and others; of Rev. Benjamin Fralick, and others, (82) 513, (93) 580. Referred, (95) 585. A Member added to Committee, (120) 734. Committee dissolved; Petitions referred to Committee on Private Bills, (145) 839. Report, (159) 913. Vide below.

-----Bill to afford relief to the Christian Universalist Association of Canada West, presented and read, (161) 921. Read second time, (185) 1056-1057. Engrossed, (185) 1057. Passed, (186) 1074.

UNIVERSITIES:--Petitions for amendments in Charter of University of King's College: Of William Lough, and others, (14) 103, (37) 212. Referred, (41) 236. Vide Clergy Reserves. Of Thomas C. Allis, and others; of Samuel Wood, and others, (58) 340, (71) 453. Referred, (106) 648. Of Municipal Council, District of Bathurst; of Rev. William Dick, (82) 513, (93) 580. Referred, (95) 585-586. Vide Clergy Reserves. Of Newton Bosworth, and others, (82) 514, (94) 581. Referred, (99) 606. Vide Clergy Reserves. Of George J. Grange, and Thomas Hodgskin, (88) 540, (99) 605. Referred, (100) 606. Vide Clergy Reserves. Of M. T. O'Beirne, and others, (105) 644, (113) 714. Referred, (151) 864. Vide Clergy Reserves. Of Rev. David Gibbs, A.M., and others, (111)

711, (142) 828. Of Phillip ((or Philip)) Austin, and James Covernton, (139) 788, (151) 864. Of Daniel Macnab ((or M'Nab)), and others, (149) 861, (162) 943. Referred, (183) 1050-1051. Of Bemon P. Warner, and others, (156) 896, (163) 945. Of John S. Herrick, and others, (175) 1025, (186) 1075. Of William H. Bullock, and others, (189) 1115, (203) 1213. Of J. J. Williams, and others, (202) 1212, (213) 1276. Of Robert Walker, and others, (207) 1242, (218) 1313. Of James Morris, and others; of Alexander Wright, and others, (244) 1458, (252) 1495.

-----Petitions against amendments in above Charter: Of Rev. William M'Murray, Ancaster, and others, (162) 942, (176) 1027. Of J. Gamble Geddes, and others, (189) 1115, (203) 1214.

-----Petitions against partition of endowment to King's College: Of John Paterson, and others, (49) 277, (60) 344. Of George Silver, and others, (53) 302-303, (61) 347. Of Absalom Haines, and others, (53) 303, (61) 347. Referred, (106) 647. Vide Clergy Reserves. Of John De Cow, Sr., and others; of Ronald M'Kinnon, and others, (53) 303, (61) 347. Referred, (105) 647, (105-106) 647, (106) 647. Vide Clergy Reserves. Of William Edwards, and others, (58) 339, (70) 451. Referred, (72) 455. Vide Clergy Reserves. Of George T. ((or George I.)) Grange, and others, (59) 341, (71) 452. Of Moses Young, and others, (58) 340, (71) 453. Referred, (143) 830. Vide Clergy Reserves. Of James P. Gage, and others, (75) 474, (84) 520. Referred, (95) 584. Of Alexander M'Naughton, and others, (75) 474, (84) 520. Referred, (95) 584. Of Andrew Buckham, and others, (99) 604, (112) 713. Of John Bogart, and others; David Buchan ((or Buckham)), and others; of Thomas G. Coyne, and others; of Luther H. Cronk, and others; of David Rintoul, and others; of John Johnston, and others, (105) 644, (112) 713. Referred, (143) 830. Vide Clergy Reserves. Of Rev. R. M'Cosh, (105) 644, (113) 715. Referred, (143) 830. Of Thomas Ewart, and others, (82) 514, (94) 581. Referred, (151) 864. Vide Clergy Reserves. Of John Murphy, and others; of Daniel Knowles, and others; of Henry Miller, and others, (82) 514, (94) 581. Of Rev. J. M. Cramp, (82) 514, (94) 581. Referred, (151) 864. Vide Clergy Reserves. Of John Adams, and others, (155) 896, (163) 945. Of Richard Percival, and others; of James Scott, and others, (156) 896, (163) 945. Of Rev. Robert Boyd, and others, (161) 942, (176) 1026. Of James G. Edwards, and others; of Thomas W. Tyson, and others, (251) 1494, (263) 1563. Of William Henry Michell, and others, (259) 1521, (263) 1563. Of Timothy Devenish, and others, (251) 1494, (263) 1563. Of Rev. J. Winterbotham, and others, (262) 1562, (277) 1620. Of Rev. Charles Fletcher, and others, (263) 1562-1563, (277) 1621. Of Elliot Grieve, Sr., and others, (276) 1618, (282) 1669.

-----Petition of Rev. William Bell, on behalf of Synod of Presbyterian Church, for equitable amount of influence in management of University of King's College, (49) 277, (60) 345. Referred, (67) 381. Vide Clergy Reserves. Petition of A. F. Holmes, M.D., and others, for aid to University of McGill College, (49) 277, (60) 345. Petition of William Wickes, A.M., and Edward Chapman, B.A., for their salaries as Professors in University of McGill College, (49) 277, (60) 345. Referred, (63) 350. Petition of Rev. Francis J. Lundy, also referred; A Member added to Committee, (84) 521. A Member excused from serving, (103) 617.

-----Petition of Donald Mathison, and others, that the Bill of last Ses-

sion, relating to King's College, be passed, (58) 339, (70) 450. Referred, (100) 606. Vide Clergy Reserves.

-----Message in Answer to Addresses, To His Excellency, (56.); Also Memorial of Professor of Anatomy, King's College, (212) 1268. Printed, (217) 1292.

-----Returns and documents relating to King's College, laid before the House; Printed, (271) 1602.

-----Bill to transfer to Queen's College, certain estates, &c., of the University of Kingston, from Legislative Council, (157) 908. Read first time, (157) 909. Ordered for second reading, (174) 1005-1006. Read second time, (198) 1162-1163. Passed, (207) 1237. Royal Assent, (254) 1501. (9 Vic., cap. 89.)

-----Bill to erect a University, by name of University of Upper Canada, presented and read, (200) 1170. Motion for second reading, (200) 1171. Amendment to Motion, negatived, on division, (200) 1171-1181. Main Motion agreed to, (200) 1181. Ordered for second reading, (274) 1611-1612. Motion for second reading; Withdrawn Motion, 1454. Counsel heard against the Bill, (287) 1684. Motion for second reading, (287) 1684-1691. Amendment, (287) 1691-1698. Debate on amendment adjourned, (287) 1698. Resolved not to proceed further this Session with the Bill, on division, (290) 1713-1729.

-----Notice of Motion to introduce Bill to amend the Act incorporating King's College, 1165.

-----Bill to alter and amend the charter of the University of King's College, presented and read, (215) 1287.

-----Bill to vest endowment for University education in Upper Canada, in the University of Upper Canada, presented and read, (215) 1287.

-----Ordered that Counsel be heard at the Bar on several Bills affecting the Charter and endowment of King's College, (272) 1604.

-----Petition of King's College Council, Toronto, to be heard at the Bar of the House, relating to said College, presented, (237) 1433. Standing Rule dispensed, (237) 1434. Read, (237) 1434-1435. To be heard, (241-242) 1444-1445, (272) 1604. Heard, (287) 1684.

-----Vide Addresses, To His Excellency, (56.)

USURPATIONS:--Vide Queen's Bench.

USURY:--Petition of Montreal Board of Trade, for amendment to the Usury Laws of this Province, (54) 303, (62) 348.

-----Bill to exempt mercantile transactions from operation of the Law on usury, presented and read, (80) 487. Second reading in six months, on division, (167) 957-967.

V

VACCINATION:--Petition of Edouard Boudreau, for sole privilege of vaccinating in County of Saguenay, (54) 303, (61) 347.

VALLERAND, FLAVIEN:--Petition of, to be paid his salary as Clerk of Municipal Council of Richelieu, (218) 1313, (233) 1406.

VANZANDT, JACOB L., AND JULIET VANZANDT:--Petition of, for relief in respect to certain lands, escheated by death of Hon. Richard Duncan,

(50) 277, (60) 345.

-----Bill for relief of Juliet Vanzandt, from Legislative Council; Read first time, (89) 544. Ordered for second reading, (103) 615-616, (180) 1041, (205) 1227. Second reading in six months, (273) 1609-1610. Petition of John A. Pierce, and others, against the Bill, (141) 827, (158) 911. Referred, (158) 912.

-----Vide also, Legislative Council, Messages To.

VESTING ACT:--Vide Ordnance Department.

VIDAL, RICHARD E.:--Petition of, complaining that his property is injured by two roads running parallel to each other, and praying relief, (15) 103, (37) 212-213. Referred, (38) 214. Report, (51) 281-282. Vide below.

-----Bill to vest in Richard E. Vidal a certain allowance for road in Township of Sarnia, presented and read, (51-52) 282. Read second time; Referred, (66) 371. Reported, (88-89) 541. Committed, (89) 541. Considered; Reported; Engrossed, (155) 889. Passed, (158) 909-910. By the Council, (196) 1153. Royal Assent, (254) 1500. (9 Vic., cap. 104.) Petition of Samuel Hitchcock, and others, against the Bill, (44) 256, (55) 306. Of Joseph P. Slocum; and James Hannah, the same, (82) 515, (94) 583.

VIGER, D. B.:--Question concerning absence of Mr. D. B. Viger; Answer, 1928.

VISITATION:--Vide Annual Visitation.

VISITORS, PAYMENT OF:--Vide Notarial.

VOLLER, JAMES, AND JOHN KAY:--Petition of, for retired allowance as Messengers of the Legislative Assembly, (182) 1049, (190) 1116. Referred, (199) 1169. Report, (300) 1771.

W

WALLACE, JAMES:--Petition of, for pension as light house keeper at Pointe des Monts, (49) 277, (60) 344.

WEIGHTS AND MEASURES:--Petition of Thomas Atkins, for amendments in the law relating thereto, (44) 256, (55) 305. Referred, (56) 308.

WELLAND CANAL:--Petition of Thomas Willson, and others, for bridge over said Canal, (93) 579, (105) 646. Referred, (105) 646-647. Vide Roads And Bridges.

-----Question concerning improvement of navigation of the Welland Canal; Answer, 933.

-----Bill to incorporate a Company to construct a raceway from Welland Canal to Niagara, presented and read, (240) 1440.

-----Vide also, Addresses, To His Excellency, (58.); Richardson, Maj. John.

WHARVES:--Petition of Capt. J. C. Rival, and others, for a wharf at Pointe Platon, in Parish of Ste. Croix, (99) 605, (112) 714.

-----Vide St. Roch Des Aulnets.

WILD FOWL:--Vide Game.

WILD LANDS:--Vide Taxes.

WILLIAMSBURG CANAL:--Return to Address, referred, (307) 1799. Vide Addresses, To His Excellency, (72.)

WINTER CARRIAGES AND ROADS:--Petitions for repeal of suspension of the Ordinances relating thereto: Of Dominique Le François ((or Lefrançois)), and others, (4) 10, (15) 105. Vide below. Of Jean Marie Robitaille, and others, (4) 11, (15) 105. Petitions referred: Dominique Le François, and others; J. B. Trudel, and others; Jacques Légaré, (33) 166. Also, Pierre Garette, (38) 214-215. Also, Amable Bouchet, (41) 236. Of Pierre Garette, and others, (4) 11, (16) 106. Of J. B. Trudel ((or Trudelle)), and others; of Jacques Légaré, Mayor, and others, (10) 83, (16) 106. Vide above. Of Charles Robertson, and others, (10) 84, (17) 108. Of Amable Bouchet ((or Bochet)), and others, (33) 165, (38) 214. Vide above. Of Ambroise Sivigni, and others, (41) 235, (50) 279. Of André Vandandaigue, (44) 256, (54) 305. Of P. Besse, and others, (58) 339, (70) 450. Petition of L'Esdras Manseault, and others; Edouard G. Dugré, referred, (168) 983-984. Of Rev. P. M. Mignault, and others, (59) 341, (72) 454. Of Municipal Council, St. Hyacinthe, (75) 474, (84) 520. Of Simon Gendron, and Joseph Benoit, (104) 644, (113) 714. Of L'Esdras ((or L. Esdras)) Manseault, and others, (150) 861, (162) 944. Vide above. Of Edouard G. Dugré, and others, (156) 897, (163) 946. Vide above. Of F. B. Blanchard, and others, (213) 1275, (219) 1314. Against repeal of said Ordinances, of Rev. Messire Le Bourdais, and others, (218) 1313, (233) 1406-1407.

-----Petitions referred, (17) 111, (33) 166, (38) 214-215, (41) 236, (95) 586, (168) 983-984. Report, (51) 281. Vide below.

-----Bill to repeal in part, two Ordinances relating to winter roads, presented and read, (51) 281. Read second time; Committed, (74) 462. Considered, (74) 462-463. Reported; Engrossed, (74) 463. Passed, (76) 474-475. By the Council, with amendments, (258) 1512. Agreed to, (278) 1626. Royal Assent, (344) 1954. (9 Vic., cap. 53.)

-----Bill to amend Acts relative to winter roads in Lower Canada, presented and read, (110) 658. Motion for second reading, (234) 1411-1412. Amendment, that second reading be in six months, agreed to, on division, (234-235) 1412. Main Motion, as amended, agreed to, (235) 1413.

-----Bill to amend Act and Ordinances relating to winter roads in Lower Canada, presented and read, (195-196) 1150.

-----Bill to provide for wide winter roads in Lower Canada, presented and read, (321-322) 1868.

WITNESSES:--Bill to enforce attendance of witnesses, before Magistrates, presented and read, (89) 546. Read second time; Committed, (155) 889. Considered, (155) 889-890. Reported; Engrossed, (155) 890. Passed, (158) 910. By the Council, (209) 1249. Royal Assent, (254) 1500. (9 Vic., cap. 5.)

-----Bill to enforce the attendance of witnesses before Courts of Superior Criminal Jurisdiction, presented and read, (204-205) 1217-1218. Read second time; Engrossed, (243) 1450. Passed, (244) 1459. By the Council, (296) 1758. Royal Assent, (345) 1954. (9 Vic., cap. 35.)

WOLFE ISLAND, KINGSTON AND TORONTO RAILROAD:--Vide Railroad, Wolfe Island, Kingston, and Toronto.

WRITS:--Vide Elections, Writs Issued During The Recess; Elections, Writs Issued During The Session.

Y

YAMASKA COUNTY:--Vide Registration.

YOUNG, THOMAS AINSLIE:--Petition of, for payment of arrears as Auditor General of public accounts for Lower Canada, (11) 85, (17) 109.

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